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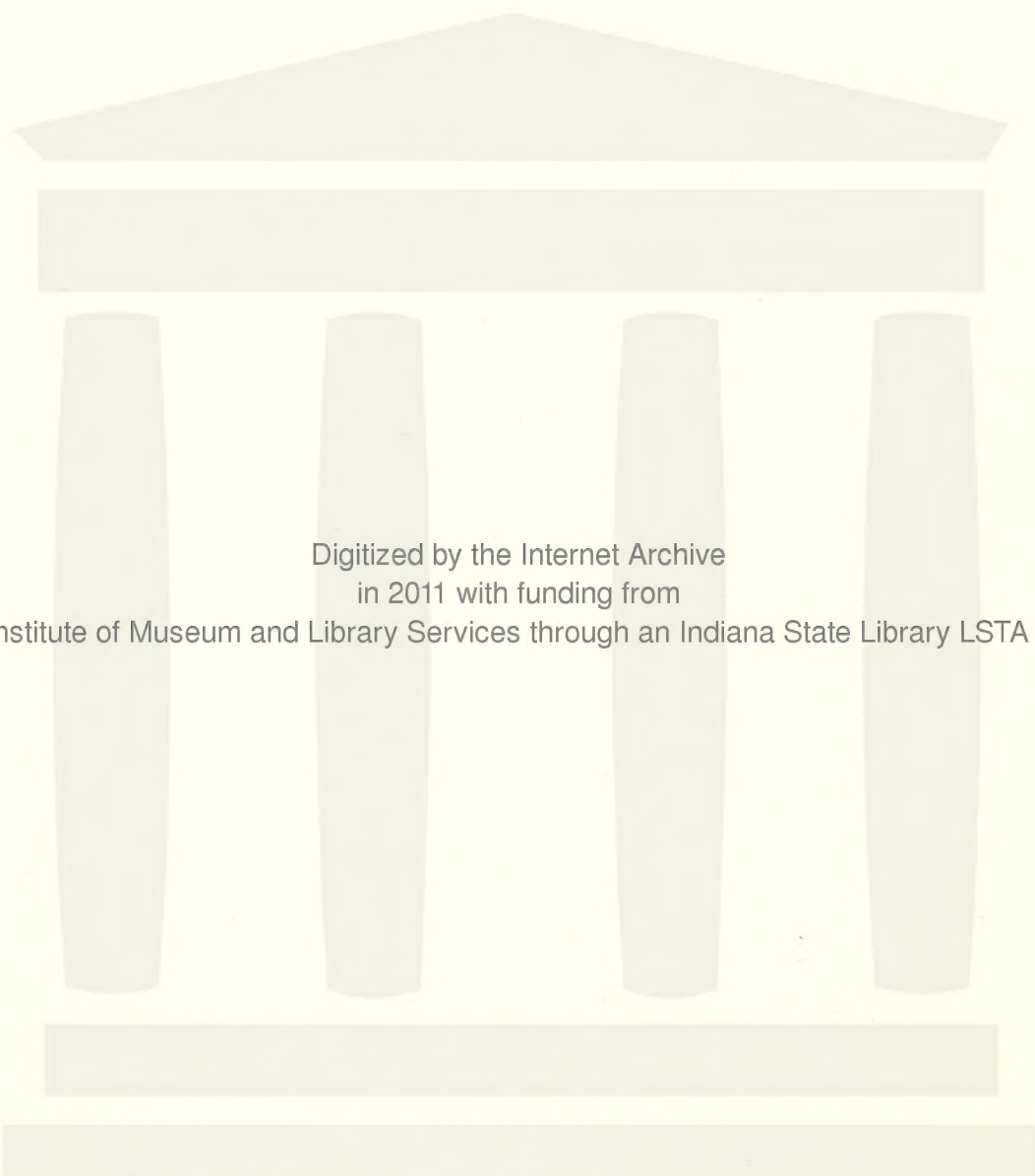












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WILLIAM I, KING OF PRUSSIA.

New York: D. Appleton & Co.



THE  
AMERICAN  
ANNUAL CYCLOPÆDIA  
AND  
REGISTER OF IMPORTANT EVENTS  
OF THE YEAR  
1866.

EMBRACING POLITICAL, CIVIL, MILITARY, AND SOCIAL AFFAIRS; PUBLIC DOCUMENTS; BIOGRAPHY, STATISTICS, COMMERCE, FINANCE, LITERATURE, SCIENCE, AGRICULTURE, AND MECHANICAL INDUSTRY.

VOLUME VI.

NEW YORK:  
D. APPLETON & COMPANY, 443 & 445 BROADWAY.  
1867.

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## P R E F A C E .

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IF the close of an internal war forms the most critical moment in the career of a nation, especially when that war has involved the nature and existence of the institutions of a country, then there can be no period so important to the people of the United States as that of the years which intervene until a final settlement of all difficulties with the Southern States. This period is the more highly important here, as it includes circumstances without a parallel in the previous history of mankind. The sudden emancipation of four millions of slaves of another race of men, their immediate investment with civil rights, their rapid elevation to the dignity and power of coequals in the Government with their former masters, is a problem full of intense interest in every step of its solution. In this view the present volume of the *ANNUAL CYCLOPÆDIA* contains all the measures proposed or adopted in Congress for the reconstruction of the Union; the reports and debates on those measures; the views of the Executive department of the Government; the conflict of opinion between the President and Congress, and the respective measures adopted by each; the change in the condition of the people of the Southern States, arising from their new civil and political relations, together with all those events which illustrate the history of this national crisis.

Scarcely less important were the events in Europe, which have so changed the political aspect of the western portion of that continent, and forebode momentous results in the future. The difficulties between Austria, Italy, and Prussia, are explained in these pages, with the details of their negotiations, and the military operations in that short and decisive war, accompanied by topographical and military maps and illustrations. The destruction of the old German Union by the secession of Prussia, and other States, and the formation of a northern confederation under her control and consolidation, resulting in placing her among the great powers of Europe, are fully narrated.

The details of the internal affairs of the United States embrace the financial condition of the Government; with the practical operation of its systems of taxation; its currency; debt; the banks; commerce and agriculture; the proceedings in the Southern States to reorganize their civil and social affairs; the position and rights allowed to the freedmen, with the practical operation of the Freedmen's Bureau; the various political conventions of the year, both national and State; the acts of State Legislatures; the results of elections; the progress of educational and charitable institutions under the care of the State governments; the debts and resources of the States, and all those facts which serve to show their growth and development.

The intercourse of the United States with foreign nations, as presented in its diplomatic correspondence, is noticed, and the civil, military, and commercial history of all the states of Europe and South America, and the more important kingdoms of Asia, with some countries of Africa, is fully brought up.

The progress and peculiar features and effective mode of treatment of those scourges known as the Asiatic Cholera and Cattle Disease, are carefully described.

The advance in the various branches of physical science, with the new applications to useful purposes which have been developed, have been extensively described.

Geographical explorations were earnestly continued in all quarters of the globe, and the discoveries which have followed are fully presented.

The record of Literature is fully as important as that of any previous year, and the works published have been extensively noticed under the various classes to which they belong.

Nearly all the religious denominations of the country, with an account of their branches, membership, views on political affairs, and the progress of distinctive opinions, from their official sources, are carefully noticed.

A brief tribute has been paid to the memory of deceased persons of note in every department of society.

All important documents, messages, orders, treaties, constitutions, and letters from official persons, have been inserted entire.



# THE ANNUAL CYCLOPÆDIA.

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## A

ABYSSINIA, a kingdom or empire in Eastern Africa. On account of our little acquaintance with this country, the statements on its area and population widely differ. Brehm's *Geographisches Jahrbuch* (vol. i., 1866), one of the best authorities on population, puts down the area at 7,450 geographical square miles and the population at 3,000,000. Dr. Küppell (*Reise in Abessinien*, 1831-'33, Frankfort, 1838) estimates the population in the territory from 12° to 16° north latitude, and from 37° to 40° east longitude, at not more than 500,000 inhabitants; and in the remainder of Abyssinia, comprising the western provinces of Quara, Madsha, and Agov, and the southern provinces of Gudjam, Damot, Amhara, and Begemeder, at 1,000,000, thus giving to the whole of Abyssinia (with the exception of Shoa) a population of 1,500,000. The province of Shoa has, according to the missionary Dr. Krapf, one of the best writers on this country ("Travels, Researches, and Missionary Labors in Eastern Africa," London, 1860), about 1,000,000 inhabitants. These statements, taken together, and the natural increase, indicate a population of about 3,000,000. The same estimate is made by the Roman Catholic bishop Massaja, who for many years lived among the Gallas (*Annales de la Propagation de la Foi*, January, 1865). According to the missionary Isenberg (*Abessinien*, Bonn, 1864), the population of Abyssinia, Shoa, and the country between 7° and 16° north latitude and 36° and 42° east longitude, amounts to five or six millions. The whole Ethiopian plateau, comprising Abyssinia, and the Sidama and Galla countries, has, according to Massaja, 12,000,000 of people, 9,000,000 of whom are Sidamas and Gallas. This statement agrees with that of Krapf, according to which the Gallas number from six to eight millions.

Abyssinia is ruled by emperors, who are supposed to be descended from King Solomon and

the Queen of Sheba, but until the present monarch seized the throne, their authority was merely nominal, the real power being in the hands of the governors of the provinces, who gave them a formal allegiance. The present emperor, Theodore, succeeded in 1855, and his attention was soon directed to obtaining recognition and friendly intercourse from the power which holds India, and has established itself in the neighboring stronghold of Aden. A treaty had, therefore, been made between Great Britain and Abyssinia so long ago as 1849, and it was ratified in 1852. In this treaty it was stipulated that each state should receive ambassadors from the other. The emperor, desirous to strengthen his authority, resolved to assert the rights thus assured to him: but, unfortunately, the officer who represented British interests in those regions was suddenly taken away. Mr. Plowden had been for many years English consul at Massowah; though not an accredited agent to Abyssinia, he had been intrusted with presents for the people in authority, and with these he went into the country, where he remained, taking part in a war which broke out at the accession of the present emperor, and thus ingratiated himself extremely with that potentate.

Mr. Plowden was killed in 1860, and Mr. Cameron was sent from some other Eastern post to succeed him. Mr. Cameron arrived in 1862, and shortly afterward the emperor told him that he desired to carry out the treaty made so many years before. Toward the end of 1862 he wrote an autograph letter to Queen Victoria, requesting permission to send an embassy to England. This letter reached London in February, 1863, and, for some reason or other, was left unanswered. Then came a quarrel with a missionary, Mr. Stern, who had committed the unpardonable offence of remonstrating against the flogging to death of two interpreters.

The emperor's wrath appears to have been roused at these and perhaps other causes, and within a year after he had written with his own hand to Queen Victoria, asking to be admitted into the pale of friendly intercourse, he sent a body of troops to the missionary station, seized the missionaries and Mr. Cameron himself, put them in chains, and cast them into prison, Mr. Cameron being chained continually to an Abyssinian soldier. This was done in November, 1863, and from that time to this the unhappy men have been in confinement.

With the consul were incarcerated his secretary Kerans, his servants McKelvie, Makerer, Petro, and Bardel; the missionaries Stern, Rosenthal, Flad, Steiger, and Brandeis, and the natural-history collectors Schiller and Essler. This outrage against British subjects produced the greatest excitement in England; but as the territory of the Emperor Theodore does not extend to the sea, and as the murderous climate puts the greatest obstacle to the success of an armed expedition, it was deemed best by the English Government to confine its efforts in behalf of the prisoners to diplomacy.

In the second half of the year 1865 the English Government sent Mr. Rassam, an Asiatic by birth, well known in connection with Mr. Layard's discoveries, and at that time holding the office of assistant to the British resident at Aden, on a special mission to the Abyssinian emperor. Mr. Rassam started from Massowah on the 15th of October, with forty camel-loads of presents to the emperor. In a letter from Mr. Rassam, dated February 7, 1866, it was announced that the emperor had given him a magnificent reception, and ordered the release of all the prisoners. The fact was accordingly announced in the English Parliament by Lord Clarendon. But the hope thus raised was soon to be disappointed. When Mr. Rassam and the other prisoners were just on the point of taking leave of the emperor, he and his party were put under arrest, and informed that they were to remain in the country, not as prisoners, but as "state guests," until an answer could be obtained to a second letter which the emperor was about to write to the queen. This letter was duly indited, in a style worthy of some Lusitanian monarch of old, beginning: "In the name of the Father, Son, and Holy Ghost. From God's slave and His created being, the son of David, the son of Solomon, the king of kings, Theodore," etc. The ostensible reason assigned for the detention of Mr. Rassam was to consult with him in what way the friendly relations of the English and Abyssinian monarchy might best be extended. Theodore's letter was conveyed to England by Mr. Flad, the German missionary, who was also the bearer of a letter from Mr. Rassam, in which, by desire of Theodore, he requested that English artisans might be sent to engage in the Abyssinian service. It was supposed that these men were required more as hostages than as artisans, as

the emperor dreaded that his unjustifiable conduct toward Consul Cameron and his associates would bring down upon him the vengeance of the British Government. In the mean time Consul Cameron and those who were imprisoned with him enjoyed comparative freedom; and the emperor, whose fitful and suspicious temper is his bane, renewed his friendly intercourse with Mr. Rassam and his companions, looking after their comforts personally, and endeavoring to relieve the pompous monotony of court life by taking them out on occasional shooting excursions.

On August 25th, the Rev. Mr. Stern, one of the prisoners, wrote as follows: "Our present more rigorous captivity is to be attributed to an alleged report that English, French, and Turkish troops were on their way to invade Abyssinia. Mr. Rassam protested against the veracity of this statement; nay, every one of us would have discredited the story even had it been confined to a mere military expedition. On the same day that he charged the British Government with duplicity, he also reproached me with the stale offence of having traduced his character by throwing doubts on his lineal descent from Solomon. I tendered my wonted apology for this oft-repeated crime, but his majesty said he would not pardon me till I had atoned for the sin by rendering him some service. In the evening of the same day he made fresh proffers of his friendship to Mr. Rassam, and also told Mr. Rosenthal, and particularly myself, that we should not indulge in unpleasant surmises, as he had nothing against us; and, like the rest of our fellow-prisoners, we drank his health in good *áraki*, provided for that purpose from the royal distillery."

Letters from Rev. Mr. Stern and Consul Cameron, dated September 15, 1866, stated that the emperor was expected at Magdala (the place where the prisoners were kept), and that a crisis in the fate of the prisoners was approaching. Later letters (written about the beginning of October) were received by Dr. Beke, a gentleman who has long resided in Abyssinia, understands the language of the country, is personally acquainted with the *Negos* (emperor), and has taken a special interest in the liberation of the prisoners, from which it appeared that Messrs. Rosenthal and McKelvie had been allowed to remain at Gaffat; that Messrs. Kerans and McKelvie had offered their services to the emperor—those of the former having been rejected, but those of the latter accepted; and that Messrs. Bardel, Makerer, Steiger, Brandeis, Essler, and Schiller, had also entered the emperor's service. A full account of the fate of the prisoners is given by Dr. Beke, in his work, "The English Captives in Abyssinia" (London, 1866).

Interesting information on the Emperor Theodore is contained in the parliamentary papers published by the English Government. In 1855 Consul Plowden sent to the Foreign Office a report in which, after referring to the



distracted state of Abyssinia, with its chiefs generally at variance with each other, he says: "A remarkable man has now appeared, who, under the title of King Theodore, has broken the power of the great feudal chiefs; has united the whole of Northern Abyssinia under his authority, and has established tolerable tranquillity." It appears that from his earliest youth he has regarded this as his destiny. Mr. Plowden describes him as young, vigorous in all manly exercises, of a striking countenance, peculiarly polite and engaging when pleased, and mostly displaying great tact and delicacy; of untiring energy, both mental and bodily, and of boundless daring, personal and moral. His ideas and language are said to be clear and precise; hesitation is not known to him; he has neither councillors nor go-betweens. He salutes his meanest subject with courtesy, and is generous to excess, but also unsparing in punishment and terrible when his wrath is aroused. His faith is signal: "Without Christ," he says, "I am nothing; but if He has destined me to purify and reform this distracted kingdom, who shall stay me?" Mr. Plowden, who thus sketched the king's character, stated that he had made great reforms in Abyssinia; had enforced more decency of manners; was putting down trade in slaves, and removing vexatious exactions on commerce. As might be expected, he was jealous of his sovereign rights, and he objected to the establishment of an English consulate in his dominions as an innovation. "He found no such thing in the history of the institutions of Abyssinia." Mr. Plowden hinted that if he consented to the establishment of friendly relations the sea-coast and Massowah might possibly be given up to him; but though his ambition was roused at this, he feared the clause conferring jurisdiction on the consul as trenching on his prerogative, and the time for consideration was so short that he was too much startled at the proposal to accept it. The Roman Catholic mission had usurped the functions of the *Aboona* and the Abyssinian clergy, and the king feared that we should wish in like manner to usurp the political rights of the sovereign.

At the beginning of 1865 a society was organized in France by the Count de Mounier, for establishing at Halai, in Abyssinia, a commercial agency, but, on arriving in Egypt, the society dissolved. Another project of civilization had been started by the Count de Bisson, who, in a letter to the Paris journal, *La France*, stated that he had received from Theodore a concession of all the uncultivated lands of the empire, and that the *Negos* had put an armed force at his disposal for the protection of himself and his associates. In support of his assertion he quoted the following extract from the ordinance of concession: "We give to thee and concede forever all the lands which thou mayst choose and take in Abyssinia. They belong to thee. We engage by oath to defend thee and thy companions by our invincible arms; to furnish to

thee aid of every kind thou mayst stand in need of. We place, moreover, at thy disposal a body of troops, to protect thee against all, for thou art our brother, and we have faith in thy loyalty." Signed: Prince Aylo-Chooma-Mohammed-abd-Allah, melk (king), in the name of the emperor.

The emperor has for some time been engaged in war with the rulers of Tigré and Shoa, two of the principal and most civilized provinces in Southern Abyssinia. At the end of February, 1866, Devas, the lieutenant of Wágshum Góbazyé (the ruler of Tigré), was defeated in battle by Tekla Geórgis, the brother and deputy of Ras Bárian, Theodore's lieutenant; but the cholera entered the camp of the latter, destroyed a considerable number of his troops, and dispersed the rest. In May Tekla Geórgis retired into Shíré to raise a fresh army. On July 30th, according to an account furnished to the "Nice Journal" by Count Bisson, the above-mentioned "Founder of the French Colony in Abyssinia," a tremendous battle was fought between the armies of Theodore and Góbazyé at Axoum, one of the two capitals of Tigré. Theodore is said to have been at the head of 95,000 men; the forces of the insurgents are estimated to have been rather larger. The latter occupied an intrenched camp. In various of their preparations for defence Count Bisson's correspondent recognized European skill. "The English were there, in constant communication with Aden; the insurgents drew arms and supplies from that place." Two redoubts, armed with cannon, covered the extremities of the insurgents' wings, the centre was covered by *abatis*; the plain was cut up by trenches, and other obstacles were skilfully grouped, so as to render the cavalry of the assailants nearly useless; and as it composed the greater part of the army, the lancers had to dismount and act as infantry. Driving a cloud of skirmishers from one cover after another, the Abyssinians levelled the different obstacles as soon as conquered. Ten thousand men then remounted and charged the insurgent centre, driving it in. But when four times as many lancers advanced to pass through the gap thus made, the redoubts opened a cross fire on the attacking columns, inflicting heavy loss. The sharpshooters rallied, the attack was defeated, and the insurgent centre again had time to form. The 10,000 horsemen, under the orders of Telema, the general-in-chief, who had first broken the line, had pushed forward, disregarding what passed in their rear, to charge a second line of insurgents, who, profiting by the military instruction formerly given them by Count Bisson and his followers, firm as a rock, awaited the enemy kneeling, their lance-butts fixed in the ground, living *chevaux de frise*, covered with their bucklers, while, close behind them, thousands of sharpshooters poured volleys into the assailants. To complete the discomfiture of the latter, they were charged in flank by twenty squadrons. Talema cut his way out, but left half his people behind him. After



various vicissitudes, and what seems, if this account be not over-colored, to have been extremely hard fighting, the redoubt on the insurgents' left wing, after being taken and retaken five times, remained in the hands of the Abyssinians. But reinforcements reached Góbazye, the chief of the Tigréans; his right wing had not been engaged, while almost the whole of Theodore's troops had fought and suffered grievously. Changing front to the rear, with his right for his pivot, Góbazye presented a new line of battle, at right angles with his first position. It was seven in the evening, and the battle had begun at six in the morning. Theodore refrained from a fresh attack, remaining master of part of the battle-field, and of three pieces of artillery of English manufacture. He had the redoubt razed, the wounded removed, and that same night occupied Axoum, lately the headquarters and depot of the insurgents, who thus found themselves cut off from Massowah and from the most populous and warlike provinces that supported them. On the other hand, Theodore's position was by no means good; his rear was harassed by disaffected populations, and he had only a flank connection with his base of operations. His losses were 23,000 dead and 18,000 wounded, according to M. de Bisson's correspondent, who adds that they were due chiefly to musketry fire. "Among the Tigréan dead," he continues, "we recognized Egyptians and some English faces, especially in the fort. No doubt officers of that nation directed all the evolutions of the battle. One may guess it from the skilful defensive-offensive of the enemy." The accuracy of this account was doubted by the missionary Flad, but Dr. Beke, in a letter to the London "Times," expressed his belief that the account had a solid foundation of truth.

**AFRICA.** The most important event in the history of this division of the world during the past year is the great change in the Government of Egypt. The viceroy, more successful than his predecessors, obtained from the Sultan a change in the order of succession for his own line, to the exclusion of collateral branches of the family of Mehemet Ali. This first step, by which Egypt separates from the Mohammedan law, and conforms to the habits of Christian monarchies, was followed by the introduction of a constitutional form of government, the first Parliament, elected by universal suffrage, being opened in November. With regard to the Suez Canal, a convention was concluded between the Egyptian Government and the Suez Canal Company, which put an end to the difficulties that at one time seriously threatened to interfere with the progress of the work. (*See EGYPT.*)

The Emperor Theodore, of Abyssinia, continued the war for the aggrandizement of his empire, which he hopes will gradually be enlarged by the conquest of all the Mohammedan countries. An account of a great battle, said to have been fought on the 30th of July, between Theodore, at the head of 95,000 men,

and a still larger army of insurgents of Tigré and Shoa, two of the powerful and most civilized provinces of that country, rested on the doubtful authority of a French Count Bisson, who signs himself "Founder of the French Colony of Abyssinia." The English prisoners, according to dates up to November, 1866, still remained in captivity. (*See ABYSSINIA.*)

Madagascar concluded a treaty with Great Britain, the ratifications of which were exchanged on July 6, 1866. The treaty declares that British subjects in the dominions of her majesty the Queen of Madagascar shall be allowed freely to exercise and teach the Christian religion, and to erect and maintain suitable places of worship. Such places of worship, with their lands and appurtenances, shall, however, be recognized as the property of the Queen of Madagascar, who shall permit them to be applied forever to the special purposes for which they shall have been built. They shall, in the profession, exercise, and teaching of their religion, receive the protection of the queen and her officers, and shall not be prosecuted or interfered with. The Queen of Madagascar, from her friendship for her Britannic majesty, promises to grant full religious liberty to all her subjects, and not to persecute or molest any subjects or natives of Madagascar on account of their embracing or exercising the Christian religion. But should any of her subjects, professing Christianity, be found guilty of any criminal offence, the action of the law of the land shall not be interfered with. The Queen of Madagascar engages that British subjects shall, as far as lies in her power, equally with her own subjects, enjoy within her dominions full and complete protection and security for themselves and for any property which they may acquire in future, or which they may have acquired before the date of the present treaty. British subjects may freely engage in their service, in any capacity whatever, any native of Madagascar, not a slave or a soldier, who may be free from any previous engagement. The Queen of Madagascar engages to abolish trial by the ordeal of poison. If there should be a war between Great Britain and Madagascar, any prisoners who may be taken by either party shall be kindly treated, and shall be set free, either by exchange during the war, or without exchange when peace is made; and such prisoners shall not on any account be made slaves or put to death. The treaty is signed by Thomas Conolly Pakenham, Esq., British consul in Madagascar, duly authorized to that effect on the part of the British Government, and by Rainimaharavo, Sixteenth Honor, Chief Secretary of State; Andriantsitohaina, Sixteenth Honor; Ravahatra, Chief Judge; and Rafaralahibemalo, Head of the Civilians, duly authorized to that effect on the part of the Queen of Madagascar. The Christian missionaries in Madagascar report a rapid and steady progress of Christianity and civilization.



The long war between the Basutos and the Orange Free State was closed by a treaty signed by Moshesh, the chief of the Basutos, on the 3d of April. The Free State acquired by this treaty a valuable territory, and the Free State authorities at once adopted measures to colonize the new territory. Later advices (September, 1866) stated that the settlement of the Free State frontiers was being interfered with by the Basutos, and the land commissioners were unable to mark out the new farms without a considerable escort. They had encountered threatenings and warnings on every side. The Basutos were said to be starving, and a renewal of the war was feared.

The English Cape Colony was enlarged by the annexation of Caffraria, and in June members for the Legislative Council were elected in the annexed territory in accordance with the provisions of the annexation and representation act adopted during the last session of the Cape Parliament. The third session of the third colonial Parliament was opened by Governor Wodehouse on September 6th. New government measures were announced in the form of three bills for the establishment of a new government paper currency, for the revision of the customs' import tariff, and for the imposition of an export duty.

The Cape Government took formal possession for the Home Government of the unclaimed Guano Islands at the northern extremity of the colony. Penguin harbor, the Mercury Islands, and Ichaboe, are now in the absolute possession of the British Government.

On the 26th of June, a detachment of the Fourth West India regiment, under command of Major Mackay, was ordered on an expedition against the "Maraboos," who had attacked several towns in British territory, in Western Africa. The expedition was completely successful, and on the 30th of June the last stronghold of the enemy was captured. Col. D'Arcy entered the stockade at the head of his detachment. The enemy surrendered at discretion, after sustaining a loss of three hundred in killed and wounded.

The French possessions remained at peace throughout the year, the insurrection in Algeria subsided about the close of the year 1865. The territory on the Senegal only was several times invaded by native chiefs, who were, however, without difficulty, driven beyond the French settlements.

The area of Africa, and its population, continue to be very differently estimated by the ablest geographical writers. Brehm's *Geographisches Jahrbuch* (vol. i., 1866), which is regarded as the best authority on these matters, estimates the total area of Africa at 543,570 geog. sq. miles,\* and the aggregate population at 188,000,000. The following statistics are given for the several divisions and countries:

## I. EASTERN AFRICA.

	Geog. sq. Miles.	Population.
Bogos.....	13	10,000
Beit Takue.....	18	8,000
Marea.....	25	16,000
Habab.....	113	68,000
Bedjuk.....	2	1,200
Mensa.....	29	17,400
Kunama.....	292	150,000
Abyssinia.....	7,450	3,000,000
Gallas, S. of Abyssinia as far as the equator.....	13,000	7,000,000
Peninsula of Somali.....	15,000	8,000,000
The territory bounded by Abyssinia and Egyptian Soudan to the north, the White Nile to the west, the equator to the south, and the country of the Gallas to the east.....	14,000	7,840,000
The territory between the equator, the Portuguese territory of Mozambique, the kingdom of Cazembe, the Lake of Tanganyika, and the Eastern Coast.....	25,000	3,500,000
Total.....	74,942	29,610,600

## II. SOUTH AFRICA.

	Geog. sq. Miles.	Population.
Portuguese Possessions on the Eastern Coast.....	18,000	300,000
Cape Colony.....	4,935	297,096
British Caffraria.....	235	81,353
Natal.....	970	157,583
Caffraria (between British Caffraria and Natal).....	750	100,000
Caffraria, north of Natal.....	2,960	440,000
The Orange Free State.....	1,600	50,000
The Transvaal Republic.....	3,480	120,000
Country of the Basutos.....	700	100,000
Country of the Betchuanas.....	9,400	300,000
Country of Namaqua.....	4,700	40,000
Damara.....	2,000	20,000
Portuguese Possessions on the Western Coast (Angola, Benguela, Mossamedes).....	14,700	9,057,500
Lobale.....	200	200,000
Kibokoe.....	500	750,000
Bunda Countries.....	7,700	2,300,000
Moluwa.....	9,950	1,000,000
Kingdom of Cazembe.....	5,300	530,000
Total.....	88,080	15,843,532

## III. ISLANDS IN THE INDIAN OCEAN.

	Geog. sq. Mls.	Population.
Socotra.....	80	3,000
Abd-el-Kuri.....	3	100
Zanzibar.....	29	250,000
Madagascar.....	10,927	3,000,000
Nossi Be.....	3.54	14,860
St. Marie de Madagascar....	16.52	5,701
Comoros.....	49.4	49,000
Aroo, Cosmoledo, Ared, Gloriosa, and some adjoining smaller Islands.....	17	
Reunion.....	42.5	193,288
Mauritius and dependencies.	33.3	822,517
Total.....	11,201.26	3,888,466

\* One geographical square mile is equal to 21.21 English square miles.

## IV. ISLANDS IN THE ATLANTIC OCEAN.

	Geog. sq. Miles.	Population.
Cape Verde Islands.....	77.62	89,310
St. Thomas and Principe.....	21.36	12,250
Fernando Po and Annobon.....	23.00	5,590
Ascension.....	1.8	
St. Helena.....	2.2	6,860
Tristan da Cunha.....	2.1	35
Total.....	128.08	114,045

## V. THE NORTHERN COAST.

	Geog. sq. Miles.	Population.
Morocco.....	12,200	2,750,000
Algeria.....	12,150	2,999,124
Tunis.....	2,150	600,000
Tripoli.....	16,200	750,000
Egypt.....	31,000	7,465,000
Total.....	73,700	14,564,124
Sahara.....	114,600	4,000,000

## VI. MOHAMMEDAN KINGDOMS OF CENTRAL SOUDAN.

	Geog. sq. Miles.	Population.
Darfoor.....	5,000	5,000,000
Vadai.....	4,730	5,000,000
Baghirmi.....	2,660	1,500,000
Bornoo.....	2,420	5,000,000
Sokota and Adamaua.....	7,960	12,000,000
Gando.....	3,880	5,800,000
Massina.....	3,330	4,500,000
Fellatah kingdoms together.....	14,870	22,300,000
Total.....	44,850	61,100,000

## VII. THE TERRITORY OF WESTERN SOUDAN.

	Geog. sq. Miles.	Population.
Yorooba.....	2,350	3,000,000
Egbah (capital Abbeokoota)....		100,000
Dahomey.....	188	150,000
Ashantee (with the tributary Provinces and the Gold Coast)	3,447	4,500,000
Liberia.....	450	250,000
French Senegambia.....		145,800
Portuguese Possessions in Sen- egambia.....	1,687	1,095
Dutch Colonies on the Coast of Guinea.....	500	120,000
Sierra Leone.....	22	41,806
Tombo.....	2,040	
Mossi.....	1,550	
Independent portion of Gurma..	880	
Total.....	13,114	8,308,701

## VIII. EQUATORIAL TERRITORY.

	Geog. sq. Miles.	Population.
Territory of the Shilluk.....	526	500,000
" " Nuer.....	929	400,000
" " Bor.....	40	10,000
" " Elyab.....	69	8,000
Unknown negro countries on both sides of the equator.....	70,000	42,000,000
Total.....	71,564	42,918,000

## AFRICAN METHODIST EPISCOPAL CHURCH. (See METHODISTS.)

AGRICULTURE. The year 1866 was not a very favorable one for agricultural productions. The spring and early summer were cold and backward, and after a short period of intense heat in July, there was, throughout the latter part of that month, the whole of August, and the early part of September, a more frequent and copious rainfall than usual, accompanied by a low temperature, with frost in many sections on September 21st. The long rain and early frost injured the Indian-corn crop in many sections, and caused the wheat to *grow* after being stacked. In the region of the Ohio River and its tributaries a destructive flood, about the middle of September, injured and in many counties nearly ruined the crops. This flood was the result of the excessive rains which, for seventy-five days, had fallen almost constantly. Other sections were also visited by floods, but not with such destructive effect.

Of the cereals, the *wheat* crop was estimated by the Agricultural Department at 160,000,000 bushels for the States east of the Rocky Mountains, of which 143,000,000 was the product of the twenty-two Northern States (of which statistics were given in 1865), about 5,500,000 bushels less than the previous year in those States, a decrease which was supposed to be fully made up by the superior quality of the grain in 1866. The crop of the eleven Southern States was nearly 17,000,000 bushels, a little less than one-half that of those States in 1859, the latest date in which there has been any complete return of their crops.

The yield of wheat on the Pacific coast is increasing rapidly. The California crop alone is estimated at over 14,000,000 bushels, of which, it is said, 12,000,000 bushels will be exported. Oregon and Washington Territory, and Nevada and Utah also produce some wheat. The entire crop of the country may safely be put down at 180,000,000 bushels, or fully five bushels to each inhabitant.

The *rye* crop varies but little from year to year. It is not a very important crop, and during 1866, aside from the Pacific States, where but little is grown, is estimated at 21,029,950 bushels.

The *barley* crop is also very nearly stationary. The crop, exclusive of the Pacific States, in 1866 was 11,465,653 bushels, while that of 1859 was 11,146,695 bushels. Only 110,773 bushels are reported as given in the eleven Southern States in 1866.

The *oat* crop is said to have been the largest ever grown in this country. The estimate for 1866 is 271,712,695 bushels, an increase of a little more than one hundred millions of bushels since 1860. This increase is almost universal, Wisconsin being the only Northern State reporting less than last year, and the yield of the Southern States being nearly or quite up to the amount of 1860. This large aggregate does not include the crop in the Pacific States.



The *hay* crop was not equal to last year; in the Northern States east of the Mississippi it was about one-fifth less; the Trans-Mississippi States and the South report a fair amount. It does not vary much from 21,000,000 tons.

The *corn* crop is put down as 880,000,000 bushels, of which 185,000,000 bushels are credited to the eleven States not hitherto reported, against 274,000,000 bushels in 1859. The decrease in the Northern States from the crop of 1865 is about 25,000,000 bushels, and the decrease in quality is equivalent to 75,000,000 bushels, making an aggregate decrease of feeding value, as compared with the great crop of 1865, of about 100,000,000 bushels. As, however, the crop of 1865 was an excessive one, 22.7 per cent. above the average, this reduction only brings the crop of 1866 to about a fair average, or a little above it.

The *cotton* crop was estimated from the best data, at the close of December, at 1,750,000 bales of 400 pounds each. As the actual bales are now nearly 500 pounds each, this would be equivalent to a million and a half of such bales. The cotton-planters had expected, early in the season, a much larger crop; but owing to bad seed, ignorance on the part of many of the best method of cultivation, a very wet spring followed by a dry early summer, and heavy, drenching rains in August and September, and over extensive sections the ravages of the cotton or army worm, the crop was less than half what was expected. In Louisiana there was added extensive flooding of the cotton-lands from the breaking of the levees. Of the Sea Island or long-staple cotton, the quantity raised is about 20,000 bales, less than half the average before the war.

It is hardly probable that this crop will ever again reach the production of 1860, 4,664,417 bales, or if it should, that so large a portion will ever be exported as was of that crop. There are several causes which will prevent this. Among these are, the deterioration of the soil in much of the cotton-growing region, which, unless cultivated for a time in other crops, and restored to its fertility by abundant manure or seeding down to clover, and ploughing in that crop, will not yield one-fourth as much as it would eight or ten years ago. Then there will be a lack of efficient laborers for the cotton-fields; the negroes, no longer compelled to labor in them will, in many cases, prefer mechanical employment, and labor less severe than that of the cotton-field in hoeing and picking time, and other crops, fruits, vines, the silk culture, etc., etc., will give a better return, for less labor, than cotton. If, however, under higher and more efficient cultivation, the exceptional crop of 1860 should be reached or surpassed, there would be a far larger proportion of it consumed at home than in any of the years before the war, not only from the increase of cotton manufacturing at the North, but from the tendencies of a free and enterprising people to manufacture their raw material largely in the Southern

States. The production of yarns and of the coarser qualities of cotton goods is already, in spite of the many difficulties it has to encounter, rapidly increasing in the South.

But to return to the crop statistics of 1866. The *potato* crop, always an important one, was throughout most of the Northern and some of the Southern States a full average; in some of them, as in Maine, New Hampshire, Connecticut, and Pennsylvania (all States yielding largely of this crop), it was from 10 to 20 per cent. in advance of last year, and in Texas it was unusually large and fine in quality. The only States in which the crop was seriously below the average, were South Carolina, Louisiana, Missouri, and Wisconsin. The crop of 1859 was 110,571,201 bushels, and until the present year there has been no return which included the eleven Southern States. The crop in twenty-two Northern States east of the Rocky Mountains was, in 1863, 98,965,198 bushels; in 1864, 96,532,029 bushels; and in 1865, 101,032,095 bushels. The production of the omitted States in 1860 was about 8,000,000 of bushels, so that the entire crop of 1866 could not have varied materially from that of 1859.

The *tobacco* crop was about eleven-twelfths of an average crop, and in the twenty-two States reported in 1865 it was in advance of that crop, which however was not a large one. In Kentucky and Tennessee it was above the average; in Virginia slightly and in Missouri materially below the average, and as these four are the States of largest production, it early became evident that the figures of the crop of 1859, 429,390,771 lbs., would not be reached. The Agricultural Department estimate the crop of 1866 at 350,000,000 lbs. We have elsewhere (*see* TOBACCO) given a full account of the culture of this crop, which is one of great importance to our commerce.

*Buckwheat* was a fair average crop, about 18,000,000 of bushels.

*Sorghum*, though affected in some districts by the heavy rains and the premature frost of September 22d, was about nine-tenths of an average crop, being smallest in the extreme northern and southern tiers of States, while in the middle tier and in Texas it was above the average. The crop has increased rapidly within the past five or six years.

The amount of domestic live stock in the United States is a matter of great interest not only to the farmer but to all our population; for upon it depends the supply of meat for our tables, as well as of draught cattle for locomotion, the transportation of produce and freight, and the operations of the farmer. Until near the close of 1866 it has not been possible to determine with any considerable accuracy the aggregate number of horses, mules, cattle, sheep, and hogs in the United States. War had made such extraordinary destruction of horses and mules, and the great armies had consumed and destroyed such quantities of beef and pork, that the census of 1860 afforded but a poor

AGRICULTURE.

NUMBER OF LIVE STOCK IN THE UNITED STATES FOR THE YEARS 1860 AND 1866.

STATES.	HORSES.		MULES.		CATTLE.		SHEEP.		SWINE.	
	1860.	1866.	1860.	1866.	1860.	1866.	1860.	1866.	1860.	1866.
Maine.....	60,637	50,844	104	140	376,933	282,432	452,472	1,041,724	54,783	35,355
New Hampshire.....	41,101	34,749	10	9	204,467	189,148	310,534	677,571	51,935	31,333
Vermont.....	69,071	47,781	43	42	370,450	305,760	752,201	1,377,296	52,912	32,908
Massachusetts.....	47,786	48,509	108	119	279,914	244,178	114,829	210,036	73,948	45,549
Rhode Island.....	7,121	6,828	10	.....	39,105	40,998	32,624	35,884	17,478	11,690
Connecticut.....	33,276	38,009	82	105	241,907	252,236	117,107	188,308	75,120	52,356
New York.....	503,725	408,763	1,553	2,078	1,973,174	1,964,043	2,617,855	5,117,148	910,178	671,984
New Jersey.....	79,707	79,599	6,362	7,497	238,794	220,900	135,228	181,096	236,089	192,630
Pennsylvania.....	437,654	336,623	8,832	13,915	1,419,493	1,348,748	1,631,540	3,230,440	1,031,266	892,032
Maryland.....	93,406	83,334	9,829	10,558	253,241	210,468	155,765	262,576	337,756	368,896
Delaware.....	16,562	15,523	2,294	2,280	57,721	49,358	18,857	17,500	47,848	32,098
Kentucky.....	355,704	209,136	117,634	59,752	836,059	546,876	938,990	864,068	2,330,595	1,794,556
Ohio.....	625,346	520,498	7,194	7,539	1,634,740	1,375,596	3,546,767	6,368,052	2,251,653	1,838,481
Michigan.....	136,917	171,956	330	639	479,844	515,895	1,271,743	8,473,075	872,386	351,017
Indiana.....	520,677	377,215	28,893	21,878	1,069,384	925,737	991,175	2,783,367	3,099,110	2,261,780
Illinois.....	563,736	574,205	38,539	50,899	1,583,813	1,446,635	769,135	2,446,081	2,502,308	1,976,208
Missouri.....	361,874	235,375	80,941	52,127	1,168,984	698,544	937,445	830,999	2,354,425	988,567
Wisconsin.....	116,180	174,608	1,030	1,956	521,860	660,088	332,954	1,260,999	334,055	357,668
Iowa.....	175,088	342,136	5,734	14,036	540,888	884,432	259,041	1,950,752	934,820	1,423,568
Minnesota.....	17,065	39,500	377	789	119,257	222,297	13,044	90,496	101,371	127,701
Kansas.....	20,344	32,469	1,496	2,490	93,455	202,303	17,569	82,662	138,224	95,429
Nebraska Territory.....	4,449	11,359	469	1,243	37,197	85,251	2,355	15,766	25,369	35,280
Alabama.....	127,063	82,591	111,687	67,012	773,396	409,634	370,156	307,229	1,748,321	909,127
Arkansas.....	140,198	79,913	57,358	38,450	567,799	232,797	202,753	93,266	1,171,630	316,340
Florida.....	13,446	7,530	10,910	6,873	388,060	256,119	30,153	6,031	271,742	108,696
Georgia.....	130,771	71,924	101,069	60,641	1,005,882	583,411	512,618	384,463	2,036,116	1,425,281
Louisiana.....	78,703	33,842	91,762	54,139	516,807	227,039	181,253	90,626	634,525	272,845
Mississippi.....	117,571	67,015	110,723	63,112	729,909	401,449	352,632	282,105	1,532,768	812,367
North Carolina.....	150,661	99,436	51,388	33,916	763,810	496,476	546,749	399,126	1,883,214	1,261,753
South Carolina.....	81,125	48,675	56,456	35,567	506,776	315,201	233,509	270,880	965,779	482,889
Tennessee.....	290,882	226,887	126,345	69,489	764,730	382,305	773,317	510,389	2,347,321	1,079,767
Texas.....	325,698	293,128	63,334	60,167	3,535,768	3,111,475	753,363	904,035	1,371,532	1,193,233
Virginia.....	287,579	172,547	41,015	28,710	1,044,467	543,122	1,043,269	761,586	1,599,919	959,951
Total.....	6,031,123	4,082,507	1,133,911	828,227	24,107,284	19,534,876	20,419,007	33,705,533	32,946,496	22,439,125
Adding Pacific States.....	84,335	1,421,405	184,023	75,405	4,766,744	7,401,240	3,358,078	4,548,119	4,034,276	6,405,878
Grand Total.....	6,115,458	5,503,912	1,317,934	903,632	28,903,028	26,935,662	23,977,085	41,253,652	36,980,772	28,845,003



guide to the speculations on this topic in which the agricultural papers indulged. It was not difficult to approximate nearly to the numbers of live stock in the Northern States east of the Rocky Mountains, and this was attempted from year to year; but the data in regard to the Pacific States were small, and for estimates of the numbers in the Southern States, entirely wanting.

During the summer and autumn of 1866, however, sufficient returns were obtained from the Southern States to enable us to make a very close estimate for the whole country. We give in the foregoing table the numbers of live stock for each of the States and Territories this side the Rocky Mountains, and the estimates

of the Agricultural Department for the whole country, premising that the latter may be too large in horses and mules.

It is a matter of interest to compare these returns with those of the principal countries of Europe at a recent date. We have no very recent statistics of the number of horses in the European states, and the war of 1866 would render them inaccurate, if we had. About 300,000 is to be deducted from the number of cattle reported in the United Kingdom, and 75,000 from those in Holland for loss from cattle plague. The following table gives the number of cattle, sheep, and swine, at the dates mentioned, in the several nationalities of Europe:

COUNTRIES.	Date of returns of live stock.	Population according to latest returns.	CATTLE.				
			Cows.	Other Cattle	Total.	Sheep.	Swine.
United Kingdom.....	1865-'66..	29,070,932	3,286,308	5,030,652	8,316,960	25,795,708	3,802,399
Russia.....	1859-'63..	74,139,394	.....	.....	25,244,000	45,130,800	10,097,000
Denmark, Schleswig, and Holstein.....	1861.....	2,646,051	1,172,895	626,252	1,799,147	2,279,513	471,193
Sweden.....	1860.....	3,859,728	1,112,944	803,714	1,916,658	1,644,156	457,981
Prussia.....	1862.....	18,491,220	3,382,703	2,251,797	5,634,500	17,428,017	2,709,709
Hanover, Saxony, Wurtemberg, and Grand Duchies..	1852 to '63	9,395,738	1,728,224	1,273,029	4,170,275	5,323,223	1,855,114
Holland.....	1864.....	3,618,459	943,214	390,673	1,333,887	930,136	294,636
Belgium.....	1856.....	4,529,461	.....	.....	1,257,649	583,485	458,418
France.....	1862.....	37,386,313	5,781,465	8,415,895	14,197,360	33,281,592	5,246,403
Spain.....	1865.....	15,658,531	.....	.....	2,904,598	22,054,967	4,264,817
Austria.....	1863.....	36,267,648	6,353,086	7,904,030	14,257,116	16,964,236	8,151,608
Bavaria.....	1863.....	4,807,440	1,530,626	1,655,356	3,185,882	2,058,638	926,522

**ALABAMA.** The recess taken by the Legislature of Alabama, in December, 1865, closed on January 15, 1866. Upon the reassembling of this body, the Governor laid before the members a brief message congratulating them that, during their recess, the Provisional Governor had been relieved, and his authority was exercised by the Governor elect. He recapitulated the condition of the State debt, urged the importance of a law staying judicial proceedings in the collection of debts, the necessity of making the system of education uniform by allowing the proceeds of land-sales to be used in any county without regard to the location of the land sold, called their attention to the great destitution of the people in the northern part of the State, and the immediate necessity of an efficient military organization. He also returned, without his signature, a bill to regulate contracts with freedmen, on the ground that the general laws on contracts were adequate. The Legislature passed a large number of bills chiefly devoted to local affairs; also one to provide for the payment of the land-tax levied by Congress in August, 1861; another, requiring the State banks to resume payment on April 1, 1868. In the Senate, on February 8th, the following resolution was adopted:

*Whereas*, There is reason to apprehend that unfriendly representations at Washington and in the

Northern States of the Union, of the disposition of the people of Alabama toward the Government at Washington, will operate injuriously upon the condition of our people, and postpone a restoration of the State, in consequence of a misapprehension, upon the part of the Federal authorities, of the disposition of the people for the full and complete establishment of order: Therefore,

*Resolved* (the House of Representatives concurring), That a committee of five be appointed by the presiding officers of each House to inquire, so far as may be, into the dispositions of the people of the different counties in the matter referred to, and report the result of their investigations by resolution or otherwise.

An act was passed authorizing the issue of twenty-year bonds for the payment of arrears of interest on the State debt; also another, to provide, at the State expense, artificial limbs for every maimed indigent person, a citizen or resident of the State in 1861.

The views of the Legislature on the relation of the State to the Federal Union were expressed by the unanimous adoption, on February 22d, by both Houses, of the following report and resolution, presented by a joint committee:

When the cause, for which the people of Alabama have endured sacrifices without parallel in history, was lost by the surrender of her heroic armies, the result was accepted as final and conclusive. Although compelled, by the verdict of the sword, to abandon an institution which was so thoroughly interwoven with every thread of her social fabric, that



it could not be suddenly torn asunder without leaving everywhere deep and painful wounds, the surrender has been made without a murmur. Alabama turned once more to the Government against which she had been arrayed in arms, and in solemn convention obliterated from her records the ordinance of secession, and, as far as in her power, retraced her steps to the point of her departure. Additional guaranties of sincerity were required at her hands, and the General Assembly responded to the call of the President of the United States, by ratifying the Constitutional Amendment prohibiting slavery within her borders forever, and, by legislative enactment, securing protection to the freedman in all his personal rights, and opening the courts of the State in his behalf. Having thus cheerfully complied with all the conditions demanded as a prerequisite for restoration to her rights as a State in the Union, the people of Alabama waited anxiously, yet happily, for the meeting of Congress, and the admission of her Representatives.

Prostrated and impoverished, as she has been, by the war—with her fields devastated and her homes laid waste—and with her relations to a large class of her population radically changed—the people came up manfully to the duties of the hour, and with implicit reliance upon the magnanimity and good faith of the Northern people and the General Government—endeavored to adapt themselves as best they could to this new condition, and were rapidly advancing in the pursuits of peace. But it became, ere long, painfully evident that unknown persons were busily disseminating reports prejudicial to the honor and welfare of our people.

Kindly sympathy is manifested by the whites, with few exceptions, toward the freedmen, and their new relations to each other are being gradually adjusted in a manner satisfactory to both. Contracts have been made for labor, upon just and equitable terms, and the freedmen are generally at work. Nothing more is apparently now required for the restoration of law and order in our midst than the withdrawal of Federal bayonets from the State.

Believing, then, as your committee must, from the evidences before them, that the falsehoods propagated in the North and in Congress are the offspring of deliberate malice and design, and circulated only for the basest political purposes, it remains only for us, as the representatives of the people, to denounce the authors as wilful cumberers and slanderers, and to solemnly protest against their statements being received and accepted as the truth.

In conclusion, your committee feel this to be the proper occasion for a renewed expression of the sentiments which pervade the public heart toward the President of the United States and his policy. The following resolutions, similar in language and purport to those recently passed by the Legislature of the old Commonwealth of Virginia, are respectfully submitted, with the recommendation that they be adopted, and that a copy be transmitted to his excellency President Johnson, with the accompanying report.

W. GARRET,

Chairman of Com. on the part of the Senate.

JOSHUA MORSE,

Chairman on the part of the House.

Joint Resolutions of the General Assembly of the State of Alabama on the state of the Union.

*Resolved by the Senate and House of Representatives of the State of Alabama, in General Assembly convened,* That the people of Alabama, and their representatives here assembled, cordially approve the policy pursued by Andrew Johnson, President of the United States, in the reorganization of the Union. We accept the result of the late contest, and do not desire to renew what has been so conclusively determined; nor do we mean to permit any one subject to our control to attempt its renewal, or to violate any of our obligations to the United States Government. We mean to coöperate in the wise, firm, and just

policy adopted by the President, with all the energy and power we can devote to that object.

2. That the above declaration expresses the sentiments and purposes of our people, and we denounce the efforts of those who represent our views and intentions to be different, as cruel and criminal assaults on our character and our interests. It is one of the misfortunes of our present political condition that we have among us persons whose interests are temporarily promoted by such false representations; but we rely on the intelligence and integrity of those who wield the power of the United States Government for our safeguard against such malign influences.

3. That involuntary servitude, except for crime, is abolished, and ought not to be reestablished, and that the negro race among us should be treated with justice, humanity, and good faith, and every means that the wisdom of the Legislature can devise should be used to make them useful and intelligent members of society.

4. That Alabama will not voluntarily consent to change the adjustment of political power, as fixed by the Constitution of the United States, and to constrain her to do so in her present prostrate and helpless condition, with no voice in the councils of the nation, would be an unjustifiable breach of faith; and that her earnest thanks are due to the President for the firm stand he has taken against amendments of the Constitution, forced through in the present condition of affairs.

A stay law was also passed at this session, applicable to suits brought since May 1, 1865, to mortgages and deeds of trust, with power of sale when the mortgagor or trustee is in possession. Its operation was so to delay proceedings as to postpone execution, except on debts due the State, for two years, and then to give the party one year longer in which to pay off the debt in three equal instalments. A new penal code was also adopted at this session, making no distinction on account of color, abolishing whipping and branding, and substituting "hard labor." Under the authority of the Legislature, the Governor, on February 12, 1866, issued a proclamation, granting pardon and amnesty to all persons who had been, or were liable to be, indicted for offences against the State, committed between April 13, 1861, and July 20, 1865, the crimes of rape and murder excepted. The session closed about February 20th, by an adjournment to the annual session. This commenced on November 12th ensuing. The measures previously devised to improve the finances of the State had been very successful. Temporary loans had been contracted and paid, and State bonds had been hypothecated, instead of being sold below par, and ample funds thus secured. This, however, added to the debt \$363,572, making, on November 12th, as follows:

Original bonded debt, partly extended	\$3,445,000
Amount of funded interest on the 5 and 6 per cent. bonds.....	687,990
Eight per cent. bonds sold for supplies and transportation.....	48,500
Eight per cent. bonds advanced to Insane Hospital.....	5,000
Total present bonded debt.....	\$4,186,490
To which add amount of loan due, including interest and commission...	\$363,572 22
Total.....	\$4,550,062 22



Brought forward.....	\$4,550,062 22
Should the U. S. agree to accept the 7 per cent. bonds for the real estate tax, amount thereof would be added	\$529,333 33

This would make the total bonded  
debt of the State..... \$5,079,395 55

The effect of the stay law passed at the previous session had been to stimulate creditors to commence suits, so as to secure themselves all the advantages which the law could afford. The constitutionality of the act was also tested in the Supreme Court, and a decision rendered which placed such a construction on the law as to greatly diminish the time for carrying judgments into effect. The law, therefore, did not accomplish all that was anticipated.

Only two of the State banks took advantage of the act to reduce and consolidate their stock. The Bank of Mobile reduced its stock from a million and a half to seven hundred and fifty thousand dollars, and the Southern Bank of Alabama from a million to two hundred and fifty thousand. The capital stock of the other banks, it was believed, had been so reduced by the effects of the war, that they would be unable again to resume business. More than one-half the capital stock of the banks was drawn out by the State during the war.

The tax of three cents per pound on cotton, ordered to be levied by the Federal Congress, operated in an oppressive manner upon the productive labor of the State. A bale of cotton weighing five hundred pounds was taxed fifteen dollars; to this was added the income-tax of five per cent., which, under the estimates of the year, amounted to an additional five dollars on the five hundred pounds.

The public institutions of the State are recovering from the effects of the war. The number of insane persons in the State is estimated at seven hundred. A hospital for this class of persons, established at an expense of \$300,000, is in successful operation. The number of patients, near the close of the year, was about seventy-five, although the institution could accommodate three hundred and fifty. An institution for the deaf and dumb is also in successful operation. The arrears due to it from the State have been paid. The number of convicts in the penitentiary increased during the year from fifty-one to one hundred and fifty-eight, of whom thirty-eight were white, and one hundred and twenty colored persons. A large proportion of the colored were sent to the penitentiary from cities and large towns, whither the negroes, on becoming free, flocked in great numbers. The reconstruction of a building for the State University has been commenced, by means of a loan of seventy thousand dollars granted by the State. The common-school system has not yet recovered from the derangement caused by the war. The schools have been suspended for two years, and the public sympathy in them has greatly declined. The interest due to the fund for two years from the State has not been paid. Land

grants were made by the Federal Congress to aid in the construction of various railroads in the State. The war prevented the companies from taking advantage of these grants, and the time within which they were to be secured expired in June, 1866. All the roads in the State are suffering from the effects of the war. No one has been able to recommence the work of construction which was going on when hostilities commenced.

The Legislature at this session elected John A. Winston a Senator to Congress. He had been elected Governor of the State in 1855 and 1857, and was one of the Douglass presidential electors in 1860. In the House, on December 1st, a bill was introduced to extend the privilege of suffrage to all male persons, and thereby establishing qualified negro suffrage. It was regarded as a measure calmly and carefully to be considered, although laid upon the table—yeas 69, nays 19.

In February, 1860, an act was passed to appoint a commissioner to revise the code of the State. The appointment of Turner Reaves was made, and the work of revision commenced, but in December, 1861, it was ordered to be suspended until the close of the war. In May, 1866, the commissioner resigned, and Chief Justice A. J. Walker was appointed to complete the revision. His report was sent to the Legislature on November 15th. The work of revision embraced the statutes enacted during the previous fifteen years, which were condensed and arranged in their proper places, with some other important features. It was approved by a committee of the Legislature, and adopted. In the Senate a series of resolutions were offered, providing for the reference to the people of the Constitutional Amendment proposed by Congress. These were reported upon unfavorably by a committee, and the subject laid over. The Governor, in his annual message, opposed the amendment, saying:

For reasons such as these, I am decidedly of the opinion that this amendment should not be ratified. The first section embodies a principle which I regard as dangerous to the liberties of the people of the whole country. That principle is as applicable to New York and Massachusetts as to Alabama. The second section proposes a change in a feature of our Government which has never been complained of before. The question of representation has never been a source of trouble or inconvenience. It contributed in no way to the recent troubles of the country, and a change in it cannot be legitimately claimed as forming any part of the results of the war. The third section would bring no possible good to the represented States, while it would reduce those that are unrepresented to utter anarchy and ruin.

We are sincerely desirous for a complete restoration of the Union. We want conciliation, harmony, and national tranquillity. We feel that we have given every evidence which human action can furnish, of an honest purpose to conform in good faith to the condition of things surrounding us. Alabama is to-day as true to the Constitution and laws of the General Government as any State in the Union. Under the internal revenue law, and the tax on cotton, the people of this State are now paying revenue to the General Government at the rate of nearly ten millions



of dollars a year. In the enactment of these laws we had no voice. This amendment was proposed when nearly one-third of the States were unrepresented, and all of its harsh features are aimed directly at the States thus excluded. The ratification of such an amendment, proposed under such circumstances, cannot, in any possible view, accomplish any good to the country, and might bring upon it irretrievable disaster.

At a later day the views of the Governor relative to this amendment were changed, and on December 6th he addressed a message to both Houses in its favor. He expresses apprehension of the future, saying :

There is an unmistakable purpose on the part of those who control the National Legislature to enforce at all hazards their own terms of restoration. The measures they propose threaten to at once reverse our progress toward the establishment of that permanent tranquillity which is so much desired by all. To do so is to immediately augment the distress which now exists, and inaugurate confusion, the end of which no human prescience can foresee.

To-day the cardinal principle of restoration seems to be favorable action upon the proposed amendment to the Constitution, which I transmitted to you in my annual message.

Upon the merits of the amendment my views are already known. They are founded upon principle, and are unchanged. The necessity of the case, I am now constrained to think, is different. We should look our true condition full in the face.

The amendment was finally rejected by an overwhelming majority in both Houses. The amount of the Federal tax of 1861, assigned to Alabama, was \$529,313. Nothing had been collected at the close of the year.

The amount of destitution in the State exceeded that of any other Southern State, and continued through the year. Supplies were furnished liberally by the Federal Government; charitable associations and private individuals made large contributions, and the State granted all the assistance practicable, notwithstanding which the supply fell short. During the eleven months ending September 13, 1866, the Federal Government issued 3,789,788 rations, which was an average of 11,500 rations per day. The number of persons receiving supplies averaged monthly 21,700. The whites exceeded the blacks two to one. On February 23, 1866, the Legislature authorized the Governor to dispose of six per cent. bonds to the amount of \$500,000, for the benefit of indigent families. Sufficient provision had not been made for the payment of the bonds, and they were unsalable. The Governor says :

"In consequence of the inability to use these bonds, it was not in the power of the State to extend that amount of relief to our suffering people which was desired. In some counties the destitution was so extreme, that I authorized the judges of probate, in conjunction with two other reliable citizens, to purchase corn on the State's credit, pledging payment on the 1st of January next. The amount authorized for each of such counties was one thousand bushels. In addition to this, I found it necessary to draw funds from the treasury to pay for the transportation, and other incidental expenses.

"In the month of June last I made a visit to the Northwest, with a view, if possible, of purchasing supplies on the State account. I there learned, as before observed, that the six per cent. bonds authorized were unavailable. It was ascertained, however, that the eight per cent. bonds could be used for the purpose. In view, therefore, of the necessity of the case, I deemed it a duty to appropriate a portion of them to the purchase of supplies. Accordingly, a lot of corn was purchased, brought to the State, and distributed. The corn was bought at a low rate, and the banks of St. Louis purchased readily, and at par, a sufficient amount of bonds to pay therefor. The amount of bonds used in this way, including payment for transportation, was \$48,500. The corn thus obtained was distributed in such localities, and in such quantities, as were deemed most suitable, and afforded much relief, which would not otherwise have been found."

The hope was indulged that the crop of 1866 would save the people from any further destitution. But this unfortunately was not the case. The season was exceedingly unfavorable, and the crop short. In the opinion of the Commissioner for the Destitute, not half enough grain was raised to subsist the inhabitants. The opinion was confirmed by the reports of probate judges. The War Department, therefore, authorized General Swayne, the Federal commander, to distribute, during the winter months of 1866-'67, supplies to the value of \$120,000. This money was applied to the purchase of corn and bacon, as likely to be much more useful than the regular rations heretofore issued.

A census of the State was taken in 1866, the returns of which were nearly completed during the year. The results, as compared with the census of 1860, are shown in the following table.

It will be seen by an examination of these returns, that the effect of the war has been to neutralize the increase from all sources which, for the ten years previous, have been about 25 per cent. White and black fare apparently alike, although perhaps a disproportionate decrease among the blacks has been compensated by importations from time to time in order to avoid the converging theatre of the war. The census of white males in Alabama, which in 1860 gave an aggregate of 270,271, in 1866 presents a decrease of 9,267. The total of black males, in 1860, was returned at 217,766, and has diminished in the interval 3,523; about one-half the ratio of the former. The movement of freed people to the towns is shown by a marked percentage of increase in the counties of Mobile (25), Montgomery (23), and Dallas (Selma) (13), with a proportionate decrease in other counties. A northward movement of the freedmen into Tennessee is shown in the returns from Northern Alabama. The citizens of Randolph claim that their county sent 3,000 men to help the armies of the Union.



COUNTIES.	1866.			1860.		
	Whites.	Colored.	Total.	Whites.	Colored.	Total.
Autauga.....	6,654	6,490	13,144	7,118	9,621	16,739
Baldwin.....	.....	.....	.....	3,676	3,854	7,530
Barbour.....	14,839	17,864	32,703	14,629	16,183	30,812
Bibb.....	6,626	3,066	9,692	8,027	3,867	11,894
Blount.....	8,477	585	9,062	10,193	672	10,865
Butler.....	11,487	7,518	19,005	11,260	6,852	18,122
Calhoun.....	15,445	4,258	19,703	17,162	4,370	21,539
Chambers.....	11,799	11,799	23,598	11,315	11,899	23,214
Cherokee.....	.....	.....	.....	15,321	3,039	18,360
Choctaw.....	6,619	6,575	13,194	6,767	7,110	13,877
Clarke.....	7,580	9,297	16,877	7,599	7,450	15,049
Coffee.....	8,659	1,537	10,196	8,200	1,423	9,623
Conecuh.....	6,043	3,971	10,196	6,419	4,892	11,311
Coosa.....	12,899	4,891	17,790	14,050	5,223	19,273
Covington.....	5,990	919	6,909	5,631	838	6,469
Dale.....	9,764	2,020	11,784	10,381	1,816	12,195
Dallas.....	9,425	29,601	39,026	7,785	25,840	33,625
De Kalb.....	.....	.....	.....	9,853	852	10,705
Fayette.....	10,834	1,987	12,821	11,145	1,705	12,850
Franklin.....	.....	.....	.....	10,119	8,508	18,627
Greene.....	7,436	23,094	30,530	7,251	23,608	30,859
Henry.....	.....	.....	.....	10,464	4,454	14,918
Jackson.....	15,180	2,654	17,834	14,811	3,472	18,283
Jefferson.....	9,263	2,592	11,860	9,078	2,668	11,746
Lawrence.....	9,331	6,260	15,591	7,173	6,802	13,975
Lauderdale.....	9,951	5,094	15,041	10,639	6,781	17,420
Limestone.....	7,376	7,517	14,893	7,215	8,091	15,306
Lowndes.....	7,741	17,803	25,544	8,362	19,354	27,716
Madison.....	12,676	12,837	25,513	11,686	14,765	26,451
Marengo.....	7,073	21,963	28,036	6,761	24,410	31,171
Marion.....	8,300	1,063	9,363	9,894	1,288	11,182
Macon.....	10,767	22,192	32,959	8,625	18,177	26,802
Marshall.....	8,722	1,350	10,072	9,600	1,872	11,472
Mobile.....	36,226	16,664	52,890	28,560	12,571	41,131
Montgomery.....	13,695	30,762	44,457	12,124	23,780	35,904
Monroe.....	5,323	6,724	12,047	6,916	8,751	15,667
Morgan.....	8,325	3,271	11,596	7,592	3,743	11,335
Perry.....	10,077	18,166	28,243	9,479	18,245	27,724
Pickens.....	9,021	9,948	18,969	10,117	12,199	22,316
Pike.....	16,041	8,807	24,848	15,646	8,789	24,435
Randolph.....	14,646	2,008	16,654	18,132	1,927	20,059
Russell.....	11,531	17,523	29,154	10,936	15,656	26,592
Shelby.....	9,255	3,351	12,606	8,970	3,648	12,618
St. Clair.....	8,261	2,050	10,311	9,236	1,777	11,013
Sumter.....	.....	.....	.....	5,919	18,111	24,035
Talladega.....	15,303	11,050	26,353	14,634	8,886	23,520
Tallapoosa.....	17,053	5,821	22,874	17,154	6,673	23,827
Tuscaloosa.....	12,662	9,832	22,494	12,971	10,229	23,200
Walker.....	6,778	485	7,263	7,461	519	7,980
Washington.....	1,944	2,116	4,060	2,119	2,550	4,669
Wilcox.....	6,384	16,521	22,905	6,795	17,823	24,618
Winston.....	3,256	21	3,277	3,454	122	3,576
Total.....				526,431	437,770	964,201

The legislation of the State relative to freedmen has steadily improved since the close of the war. When the Legislature assembled in November, 1865, there was developed a strong party in favor of securing the unpaid labor of slavery, but without admitting the obligations of maintenance which that system imposed. The measures taken for this object failed through the vigilance of the Freedmen's Bureau, and the cooperation of the Governor with his veto. But at the close of the session, in the spring of 1866, a vagrant law was in force, which provided chain-gangs and the county jail for whoever should loiter at work, or desert a labor-contract. At the same time the stay law was so framed as to postpone for a long period the collection of wages. At the subse-

quent session in November, 1866, the Governor in his message called attention to the subject, saying:

In reference to contracts with freedmen, there have been some exceptional instances of bad faith, which are strongly suggestive of the necessity of legal remedy. These exceptions are where employers of freedmen have, by captious unreasonableness, sought and even created pretenses for finding fault with their employes, and discharging them without pay, alleging a violation of contract on the part of the freedmen. The only remedy left the freedman is a suit for his wages, and this is so tardy as to be scarcely worth pursuing. For such injustice as this, a remedy should be provided. It could be found in a law which would authorize a summary and an effective mode of enforcing payment for labor of the character under consideration. I respectfully invite your attention to this subject.



The right to testify in courts, in certain cases, was extended to the freedmen at the session of 1865-'66, and experience has demonstrated that the law was productive of good results. Colored persons were permitted to testify in cases where they were interested and where there was every inducement for false swearing which may be reasonably supposed to influence witnesses. But even with these strong temptations to commit perjury, the testimony of freedmen has been found valuable in the ascertainment of truth, and the Governor recommended that all restrictions should be removed. A steadfast coöperation has existed between the Bureau for the Freedmen and the Governor, and the results have been a growing kindliness between the white and black races, an increased fairness in the application of the laws, with prospective changes of a most useful tendency. He also recommended that a portion of the taxes derived from freedmen should be applied to the education of their children and the support of the indigent, aged, and infirm of that population.

A case, involving the validity of the acts of the Legislature after secession came before the Supreme Court of the State, and was decided on January 23, 1867. An act, passed on November 9, 1861, authorized executors to invest in bonds of the Confederate States or of Alabama. The court unanimously sustained the validity of the government of Alabama as a *de facto* government during the war, and the authority of the Legislature to pass such an act.

In the Circuit Court of Butler County a motion was made to dismiss a suit on the ground that the original writ, when issued, was not stamped as required by the U. S. Revenue Law. In opposition to the motion, it was urged that the act did not apply to this case, for the reason that, when the writ was issued, the State of Alabama was under the exclusive control, possession, and dominion of, and owed allegiance to the then existing Confederate States Government.

Judge J. K. Henry decided that for the time being the sovereignty of the United States was suspended, and the laws of the United States could no longer be enforced in Alabama, or be obligatory upon the inhabitants who remained and submitted to the existing power. These inhabitants passed under a temporary allegiance to the then existing government, and were bound by such laws and such only as for the time being it chose to recognize and impose. The ordinance of 1865, annulling the ordinance of secession of 1861, clearly refers to the present and not to the past, in the declaration that "the same" (*i. e.* the ordinance of secession) "*be and is hereby* declared null and void." Not that it was null and void from the beginning, but that it *be now* declared null and void. Analogous cases often arise in the ordinary legislation of the country. When an act is repealed, the language commonly used is, "That the same *be and is* repealed;" yet no

one understands this language as declaring that the act repealed was void or repealed from the beginning.

The subsequent surrender and destruction of the Confederate States authority, and the complete restoration of the United States authority, could not change the character of the previous state of things, so far as this question is concerned. The writ having been issued before the authority of the United States was reestablished, he was of opinion that the plaintiff could not be required to place a stamp upon the process.

ALLEN, HENRY WATKINS, ex-Governor of Louisiana, a brigadier-general in the Confederate Army, born in Prince Edward County, Va., April 29, 1820; died in the city of Mexico, April 22, 1866. He was the fourth son of Dr. Thomas Allen, a medical practitioner of some distinction, and when quite young removed with his father to Lexington, Mo. After spending some time in school, he was induced to enter a store in the position of under clerk, but having an unconquerable dislike for mercantile life, his father consented to his enrolment among the students of Marion College, Mo. Remaining here two years, some dissatisfaction with the parental authority induced him to leave and enter at once upon a more independent career. He ran away from college, and making his way to the little village of Grand Gulf, Miss., obtained the position of teacher in the family of a wealthy planter, and afterward opened a large school. Subsequently he devoted his whole attention to the study of law, was licensed to practise, and had already become quite successful as a lawyer, when in 1842 President Houston called for volunteers to aid Texas against Mexico. Having inherited a military taste, young Allen was not long in deciding to offer his services; he raised a company, and proceeded to the scene of conflict, where he acquitted himself well, and upon the termination of his engagement his command was ordered to rendezvous at Egypt, on the Colorado, where they were honorably discharged. Returning to Grand Gulf, he resumed the practice of his profession, married, and in 1846 was elected to the Legislature of Mississippi. A few years later, upon the death of his wife, he removed to Tensas Parish, La., and afterward to his estate in West Baton Rouge, where, in 1853, he was elected to the Legislature. The following year he quitted his estate, and entered the Cambridge University as a student of law, and spent some time in reviewing his studies. In 1859, attracted by the Italian war, he went to Europe, but arrived too late for a personal share in the struggle. He spent some time in travel, the incidents of which tour were gathered up in a volume, entitled the "Travels of a Sugar-Planter." During his absence he was reelected to the Legislature. He took a prominent position in that body, was an earnest, eloquent speaker, and well qualified for leadership. In his politics he was a Whig until the election of Mr. Buchanan when he became a



Democrat. Upon the outbreak of the war, Mr. Allen joined the Delta Rifles as a volunteer, and upon his promotion as lieutenant-colonel of the Fourth Louisiana was stationed for some months at Ship Island. Subsequently he was made colonel, and appointed military governor of Jackson. His first actual engagement was in the battle of Shiloh, where he commanded his favorite regiment, and fought gallantly, even after receiving a severe wound in the face. He was afterward ordered to Vicksburg, where he did efficient service in preparing the fortifications, sometimes directly under the fire of the Union army. At the battle of Baton Rouge, Colonel Allen commanded a brigade, and, while making a fearful charge, his horse was struck by a shell, killing him instantly, and the scattering shot passing through both legs of his rider, stretched him helpless upon the field, from which he was borne in an almost dying state. The amputation of one leg was advised, but owing to his entreaties it was, after a long period of suffering, finally spared. While lingering with his painful wounds he received the appointment of president of the military court at Jackson, Miss., also that of major-general of the militia of Louisiana, both of which he declined. In September, 1864, he was appointed brigadier-general, and ordered to report to the Trans-Mississippi Department, and had hardly entered upon his duties when he was almost unanimously elected Governor of Louisiana. He accepted the office, and at once gave himself up warmly and passionately to its duties. He was eminently fitted for the position, and was cheered and sustained by the devotion of the people. One of his first efforts was for the improvement of the State finances. For this purpose he arranged with General E. Kirby Smith, then commanding the Trans-Mississippi Department, to have the cotton tax due the Confederate Government paid in kind, and established, without cost to the State, the export of the cotton, which the State received for taxes, through Texas to the Mexican frontier, and the return by the same route of such articles of medicine, clothing, and necessity as could not otherwise be obtained, which were sold to the people at moderate prices, and distributed gratuitously to the very poor. He also instituted and encouraged manufactures for the production of articles of prime necessity in the State. He most carefully enforced all the laws, especially those forbidding the distillation of alcoholic liquors from grain and sugar-cane, and did all in his power for the suppression of drunkenness and other vices, and by his frugal management was enabled to devote large sums to public charities. His devotion to the interests of all classes speedily won the confidence and affection of the people, and the results of his wise, efficient, and beneficent administration were felt throughout the whole Trans-Mississippi Department, and gave him almost arbitrary power. At the close of the war, Governor Allen was strongly urged by his friends to leave the country, and feeling that by

remaining he could be of no further use to the State, he took up his residence in Mexico. Here he established an English paper, "The Mexican Times," laboring faithfully and zealously as the sole editor for eight months. But his career was drawing to a close. Upon the advice of his physician, he was making arrangements to go to Paris, and submit to a surgical operation; when his general health indicated immediate danger, and ere he could mature his plans, the end had come. A volume, entitled "Recollections of Henry W. Allen," prepared by Mrs. Sarah A. Dorsey, was published in New York City early in 1867.

**AMALGAMATION.** The art of extracting precious metals from their ores by amalgamation, has made considerable progress within the last few years, especially since the discovery of rich gold and silver mines in the Territories of Nevada, Montana, Idaho, and others. The amalgamation of free gold from quartz is a simple process, and has become of great importance in the gold mines (now systematically conducted) in California. The auriferous quartz, after being extracted from the mine, undergoes the process of milling, which consists in the reduction of the same to an impalpable powder, that is generally performed by a stamp-mill, and a subsequent treatment with mercury in various ways. It is really in the details where many improvements have been proposed, several of which are actually worth mentioning, and have contributed much to reduce considerably the expenses of "milling." To give an idea of the cost of treating quartz by milling, it may be stated that it ranges from \$0.67 to \$8.31 per ton, with a product of gold varying between \$5 and \$80 per ton. The profits resulting from this process in these California mines range from \$0.97 to \$56.40 per ton.

Many complaints have been made with regard to the great loss of gold by the amalgamation, since the practical results obtained have been so variable and unsatisfactory, amounting in many cases to less than half the gold in the ore. One of the most important discoveries, effecting a better and more thorough amalgamation, has been made by Prof. Henry Wurtz, of New York, and patented by him in this and other countries, in 1864. In order to explain the merits of this invention, we refer here to the remarks made by Prof. B. Silliman at the session of the National Academy of Science, held in Washington during January, 1866, of which the following is an extract:

It is well known to metallurgists that the amalgamation of gold is often attended with peculiar difficulties, and that in the best-conducted operations on the large scale there is always a considerable, often a large loss, of the precious metal. Samples of waste or "tailings" collected by myself at various amalgamation works in Grass Valley, California, a place noted above most others for the great success which has attended amalgamation of gold, proved on assay to contain in the quartz waste over thirty dollars to the ton, and in the sulphides over fifty dollars to the ton—showing a loss nearly equal to the average amount saved in that district. One of the most cau-



tious and experienced metallurgists of California, at one time connected with the Geological Commission of that State, informed me that by his own determinations the saving in a large number of cases was barely 30 per cent. of the gross contents of the ore, as shown by careful assays, both of the ore and the waste.

The causes of this large loss are various, among which may be mentioned imperfect processes, insufficient comminution of the ore, and the difficulty of bringing the gold into contact with the mercury. In an ore containing one ounce of gold to the ton of quartz or waste, the ratio is as one to thirty-two thousand (1 to 32,000), or less than one-fourth of one grain in one pound of stuff.

It is, however, well known to all who are conversant with gold amalgamation, that the mercury often appears perfectly indifferent to the gold even when brought in contact with it, failing to amalgamate it. This indifference may be sometimes traced to a minute portion of grease, which effectually checks amalgamation, but it is quite as often due to some other and less obvious cause, baffling often the skill of the best amalgamators, and resulting in a ruinous loss of the precious metal.

Numerous inventions have been devised to save this loss, and avoid the causes which involve it, but until lately with very indifferent success. One of the most promising, viz., the use of mercurial vapor, has proved itself on trial in the large way a failure, and the problem has remained, in a great measure, unsolved.

Early in 1864 Prof. Henry Wurtz communicated to me in conversation his conviction, as the result of preliminary experiments, that the use of a minute portion of the metal sodium would impart to mercury the power of amalgamating with gold readily under any of the adverse conditions which had thus far proved a serious drawback to the practice of this art. Leaving soon afterward for California, I have had no opportunity, until within a few months past, of acquainting myself with Mr. Wurtz's plans.

Prof. Silliman also explained some experiments made to illustrate the remarkable properties imparted to mercury by sodium, and discovered by Prof. Wurtz. He says:

1. Shake up in a test-tube a small quantity of mercury (say half an ounce) with a moderately strong solution of sulphate of iron. The mercury is presently reduced to the condition of a thick mud, being so completely granulated (floured) as to resist all efforts to restore it to its proper condition, and retaining this condition almost indefinitely. Drop now a minute particle of sodium amalgam into it, when instantly the whole is restored to its fluid state, and subsequent efforts to reproduce the granular condition are futile if the least trace of sodium remains.

2. Bring a particle of placer gold or gold from quartz into contact with a little clean mercury in its ordinary condition. It will be seen to push the gold before it as it rolls about, and refuse to amalgamate with the gold, even when beneath its surface. In fact, there appears to be a sort of active repulsion between the two metals.

3. Bring the same particle of gold in contact with mercury having a minute portion of the sodium amalgam dissolved in it, when immediately the gold is completely enfilmed by the mercury and disappears under its surface.

The description of the discovery, as given by the inventor, shows, that it consists in imparting to quicksilver greatly enhanced adhesion, attraction, or affinity for other metals and for its own substance, by adding to it a minute quantity of one of the highly electro-positive metals, such as sodium, potassium, etc. A minute quantity of these metals, dissolved in

quicksilver, communicates to it a greatly enhanced power of adhering to metals, and particularly to those which, like gold and silver, lie toward the negative end of the electro-chemical scale. This power of adhesion, in the case of these two metals, is so great, that the resistance, which I have found their surfaces, when in the native state, usually oppose to amalgamation (a resistance which is much greater and more general than has hitherto been recognized, and which is due to causes as yet undiscovered, or at least uninvestigated), is instantly overcome, whether their particles be coarse, fine, or even impalpable. Even an artificial coating of oil or grease (which is such an enemy to amalgamation that the smoke of the miner's lamp is pronounced highly detrimental in gold and silver mines) forms no obstacle to immediate amalgamation by this magnetic quicksilver. The atoms of the mercury are, as it would seem, put into a polaric condition by a minute particle of one of those metals which range themselves toward the electro-positive end of the scale; so that its affinity for the more electro-negative metals is so greatly exalted that it seizes upon, and is absorbed by their surfaces instantaneously.

The practical results obtained by using sodium amalgam, are highly satisfactory and surpass any other method. Although comparatively new, this process is now introduced into almost every gold district, according to the reports in many scientific or mining journals.

The amalgamation of auriferous iron pyrites, such as are found especially in Colorado and Montana, is much more difficult and requires a very careful preparation of the ore, previous to its contact with mercury. The first question to consider, is the state in which the gold occurs in the pyrites—whether as metal or as a sulphuret. Most writers on the subject accept the first, and if this be correct, the gold must be in exceedingly fine particles, which have to be disclosed and freed, before mercury can act upon them. The ore, therefore, must be very finely pulverized, and to do this, several new machines were invented and tried with more or less success. But, notwithstanding this theory, the amalgamation of raw pyrites, however finely powdered, is so incomplete, that in many cases not over 20 per cent. of the metal is obtained. It was found, that the ore needed to be desulphurized previous to its amalgamation, to gain a reasonable percentage of the precious metal. This process has been and still is of immense importance for Colorado, where fuel is rather scarce, and the attention of metallurgists has been especially directed to find a method which requires little fuel. One much in practise, is the apparatus of Keith, in which the ore is blown as a fine dust through a tubular vessel, being heated by the flame of some fuel, brought in contact with the ore. It is reported, that this method has given excellent results. Compared with the amalgamation of the raw ore, it undoubtedly has, but it is not



easy to be seen how a complete roasting can be effected by it. Probably the most successful apparatus or furnace for roasting, will be the so-called Terrace furnace, substantially a rectangular prismatic room, with a large number of shelves of fire-clay arranged in such a manner that the ore will fall from one to the two underneath and so on, until it reaches the lower part of the furnace, from whence it is removed. The furnace is heated first by a temporary hearth, but the combustion of the sulphur produces afterwards enough heat to keep the ore constantly in a temperature fit to expel the sulphur from the same. Another method has been proposed, and we believe with much success. It is the invention of Mr. Monnier, and consists in calcining the ore in reverberatory furnaces with an addition of sulphate of soda. The whole is calcined at a low temperature, and during the operation the sulphurets of iron and copper are at first oxidized, but partly changed into sulphates during the last hours of the calcination. These sulphates can be leached out, and, so far as the copper is concerned, it can be won by a precipitation with metallic iron. The remaining ore, after the lixiviation of all soluble salts, is chiefly composed of peroxide of iron and the gangue or quartzose substances which were in the ore; the whole containing the gold well disclosed and ready for the attack of the quicksilver. An advantage in this process is the small quantity of fuel needed, and more especially the soft state of every particle of peroxide of iron, which allows an easy access of the mercury to the most minute parts.

In many mines the vein-matrix is composed of quartz, which has both free metallic gold, and auriferous pyrites. In such cases the ore is often treated with mercury in the raw state, or it is at least passed over copper plates, which are alloyed or amalgamated, and retain all the free particles of gold, after which the ore is calcined and amalgamated.

Should the ore have too much copper pyrites and zinc-blende or galena mixed with the quartz and iron pyrites, it becomes often too difficult and expensive to apply amalgamation, and the treatment by smelting is preferable.

The great improvements in desulphurizing pyrites, by which so great quantities of gold are saved, have given an impulse to an active and profitable mining system in several of the Territories, especially in Colorado.

A peculiar method of amalgamation for gold ores has lately been put in practice by a Mr. Wykoff, which he calls the "chloride of sodium" process. The machinery used consists of a wooden cylinder, combined with a shaking-table, with the ordinary mechanical appliances for working them. The process itself is as follows: Two hundred pounds of finely-crushed ore is put into the cylinder or amalgamator, with about one hundred pounds of mercury and sixty gallons of water, to which three per cent. of salt is added. The cylinder is then set

in motion, rocking forward and backward, while steam is introduced by means of a tube, and in about eight minutes the water boils, and the mercury permeates the entire mass. After so working for forty-five minutes, a stream of cold water is let in, which suddenly cools the mass and precipitates the mercury. The gate at the end of the cylinder is then opened and a stream of water run through the cylinder, until it comes clear, when the gate is closed and a new charge is put in. The shaking-tables are merely to collect small particles of metal, which may have been thrown from the cylinder by the force of the water. Mr. Wykoff claims to be very successful with his method, and to save in this way nearly all the gold contained in the ore.

The amalgamation of silver ores is much more complicated, and requires more skill and experience for a successful and economical treatment than the gold ores. In order to explain the theory of this process, it is deemed necessary to remark, first, that the silver ores which are subjected to this treatment are generally sulphurets, arseniates, and antimonates of silver, or compounds of these bodies. The older theory was, and is yet accepted by many authorities, that these sulphurets, when brought together with common salt (chloride of sodium) and sulphate of copper, under proper conditions, are changed into chloride of silver, and that the subsequent contact with mercury would decompose these chlorides into metallic silver, which forms an alloy with the quicksilver, while another part of the latter takes up the second atoms of chlorine, and forms proto-chloride of mercury, or calomel, which is lost. Another theory is that of Mr. Bowring, who endeavors to prove that the deuto-chloride of copper, produced by chemical action from common salt and sulphate of copper, is changed, in contact with mercury, into a proto-chloride, and the latter, under the influence of atmospheric air, to oxo-chloride of copper, which, in its turn, gives a part of its oxygen to the sulphurets of silver, producing metallic silver, and leaving again proto-chloride of copper and sulphuric acid as products of decomposition. It will thus be seen how many chemical actions come into play in these processes, and how imperfectly they are understood yet. It may be said that during the last few years many experiments were made to improve the amalgamation of silver ores, especially in Nevada, where, amongst a great deal of quackery and absurdity, several inventions of some merit were introduced.

Under nearly all circumstances it is necessary to roast the ore, previous to its further treatment, with an addition of salt (chloride of sodium). An exception to this rule forms the method introduced by a Mr. Smith, who amalgamates with but few chemical agents, except common salt, the sulphurets of silver, found in the Comstock Lode, and some other mines. The apparatus he uses is known under the name



of Wheeler's or Hepburn's pan, and it appears that it is principally the friction between the iron parts of the apparatus and the ore which, in this process, causes a decomposition of the silver ore, and its fitness to form an alloy with the mercury. It ought to be remarked, however, that the presence of much antimony or arsenic in the ore is greatly objectionable, and that in such cases the ore has to be previously calcined. With ordinary care, the percentage of silver extracted from the ore varies between 70 and 80 per cent., compared with the yield of the assay, and it cannot be overlooked that this system is of great importance in a country where fuel is so scarce as in Nevada.

The chemicals which are more or less used in the mills in Nevada are numerous; they are employed, with the exception of the common salt, in a state of solution. We give a list of the more important ones:

1. Sulphate of copper (bluestone). Out of a solution of this salt metallic copper is precipitated, when in contact with iron. The freed copper forms an alloy with the quicksilver amalgam, which is again decomposed by sulphide of silver, through electro-chemical action, producing silver amalgam, and probably sulphide of copper.

2. Sulphate of iron (copperas).

3. Bisulphate of soda. This salt gives up one atom of its acid, and is reduced to a neutral salt.

4. Alum.

5. Sulphuric acid. The acid is used in a diluted state, and appears to act directly on sulphides of silver, which may be seen by the development of sulphuretted hydrogen gas, immediately after the application of the acid.

6. Chloride of sodium (common salt). It does not act directly on the sulphides of silver, but must be first decomposed by some agency before its chlorine can act on the ore.

7. Proto and deuto-chloride of copper. These salts act similar to the sulphate of copper.

These and many other substances are used with or without success in the Nevada mills. An untold number of experiments have been made, many patents issued for so-called new processes, while some "inventors" kept their method strictly secret; but to the present day no treatment has been discovered for amalgamating such complicated silver ores, which would give all the silver contained therein, and more especially under such difficult circumstances as prevail in Nevada.

It leads us too far, considering the space for this article, to describe the different systems of amalgamators, and it could hardly be done without figures. But it may be interesting to give a short description of the *modus operandi* followed in the process of amalgamation. In some pans, chemicals and raw ore are used; in other cases, the ore is first roasted, and often no chemicals are resorted to. In the first case, some water is first put in the pan and finely-pulverized ore, enough to give a certain consistency to the mass, which is of much importance,

as too much fluidity will cause the settling of the sand and prevent a uniform division of the mercury, while, on the contrary, the particles of ore cannot change their places quick enough, and prolong, therefore, the operation. The pan being filled in this manner, the quicksilver is added in quantities of thirty to eighty pounds, and, if salt is to be used, it may be done so immediately, while all other chemicals are only applied a little afterward. The temperature is kept, as near as possible, uniform, and near the boiling-point of water. The number of revolutions of the agitator is from ten to fifteen per minute, but they can be increased without inconvenience. The operation is finished in about three or four hours; at that time the mass is diluted with water, and after half an hour tapped carefully in an adjoining vat, where such traces of amalgam are separated as might have gone with the fluid mass. The great quantity of amalgam now on the bottom of the pan remains, and acts on a new portion of ore until it has become sufficiently solid, when it is removed and pressed through a filter of leather or strong linen cloth. As already remarked, the pans known as "Wheeler's" and "Hepburn's" seem to give the most favorable results, in consequence of their peculiar construction. It is believed that they give a better percentage than other pans, and some estimate the difference as much as ten per cent. The actual loss of mercury has not yet been accurately ascertained, or if so, has not been made public.

A Hepburn pan of ordinary size can treat about four tons of ore in twenty-four hours, and requires two and a half horse-power.

The amalgam, after being pressed, is distilled in retorts, generally made of cast iron, four feet long, eleven inches wide, and nine inches high. The same is connected with a condensing apparatus, which is kept cool by water, and in which the vapors of mercury are condensed and liquefied.

It may be interesting to finish our remarks about amalgamation, with a description of this process as applied to so-called speiss and black-copper, the first being a product from treating arsenical and antimonial ores, also containing silver, nickel, and copper—the other (black-copper), an impure metal from mixed copper ores containing 80% copper, and remainder iron, sulphur, lead, and antimony, besides some silver. These classes of ores and products are not yet known well in this country, but there can be no doubt that the amalgamation or humid extraction of the precious metals from these substances, will have to be resorted to, with the increased development of the mineral resources.

The following methods are practised in the Stephanshütte, in Hungary. Black-copper, after being granulated and ground fine by stampers and arrastras, is mixed with 10% common salt, and calcined in a double calcining furnace, with a low, slowly increasing heat during ten hours. The silver is thus converted into a



chloride, and the sulphuric and antimonial salts decomposed to a great extent.

The amalgamation is performed in barrels, where the powdered copper is mixed with a quantity of saline water, some more salt, and for every 1500 lbs. substance about 100 copper balls. If much free acid is in the mass, quicklime is added for neutralization. After some revolutions, quicksilver is added, and then the casks revolved for eighteen hours, after which the usual way is to wash the amalgam and treat it further. The amalgamation of the "speiss" is performed in nearly the same manner, with additions of crude lime to the charge.

**AMERICA.** The great task which, during the year 1866, occupied the attention of the Government and people of the United States, was the work of reconstruction. It soon became apparent that the views of the President and the majority of Congress on the subject widely differed. The latter embodied its views in the Civil Rights and Freedmen's Bureau Bills and in a new Constitutional Amendment. The President expressed his disagreement with the amendment, and vetoed the two bills, both of which were, however, passed over his veto by Congress, and declared to be laws. The Thirty-ninth Congress, during its first session, admitted Tennessee, after its Legislature had ratified the Constitutional Amendment. The elections, held during the year, resulted in every Northern State, and in West Virginia and Missouri, in favor of the Republican party, while in Maryland and Kentucky the conservative opposition was triumphant. The late secession States, with the exception of Tennessee, were unanimous in rejecting the Constitutional Amendment. (*See UNITED STATES.*)

British America was greatly excited by invasions of the Fenians, which, however, were, without great difficulty, suppressed. In order to carry through the Confederation scheme, delegates from all the provinces went to England to confer with the Home Government, and it was understood that a bill concerning the projected Confederation would be laid before the Imperial Parliament early in 1867. (*See BRITISH AMERICA.*)

France, for purposes of her own, resolved to withdraw from Mexico the French forces in three detachments, the first to take place in November, 1866, and the last in November, 1867. The failure of the French Government to withdraw the first detachment at the time caused it to make then the necessary preparations for recalling all the troops by March, 1867. In consequence of this new turn of the war, the Liberals made rapid progress in the repossession of the country. Maximilian, at first, intended to abdicate, but subsequently resolved to fight for his crown at the head of the Conservatives and Church party. A new split arose, however, among the Liberals, Gen. Ortega disputing the claim of Juarez to the presidency after the expiration of his legal term. (*See MEXICO.*)

The war of Spain against the republics of Chili and Peru continued throughout the year. The Spanish fleet bombarded the port of Valparaiso, inflicting considerable damage, and subsequently the port of Callao, where they were repulsed. Their strength then seems to have been spent, for they refrained from committing any further hostilities. The alliance between Chili and Peru was joined by the republics of Bolivia and Ecuador, while the United States of Colombia, and other states of South and Central America, declined it. The allied republics expelled all the Spanish residents from their territories. (*See BOLIVIA, CHILI, ECUADOR, PERU, SPAIN.*)

On the Atlantic side of South America, Paraguay bravely defended herself against the united forces of Brazil, the Argentine Republic, and Uruguay. Toward the close of the year the armies of the Argentine Republic and Uruguay were withdrawn, and it was believed that the alliance was at an end. The Presidents of both the allied republics were threatened with dangers at home, and Paraguay was expecting aid from Bolivia. (*See ARGENTINE REPUBLIC, BOLIVIA, BRAZIL, PARAGUAY, URUGUAY.*)

The successful laying of the Atlantic cable brought North America into telegraphic communication with the Old World. This communication remained free from interruption throughout the year. The rapid progress of the Russo-American telegraph will soon give new guaranties for the permanency of this communication.

The total population of America exceeds at present 80,000,000, of whom about 48,000,000 belong to North America and Mexico, 2,500,000 to Central America, 3,970,000 to the West Indies, and 26,000,000 to South America.

**ANGLICAN CHURCHES.** The general statistics of the Protestant Episcopal Church in the United States in 1866 were, according to the "Church Almanac" for 1867, as follows:

Dioceses .....	34
Bishops.....	44
Priests and Deacons.....	2,486
Whole number of Clergy.....	2,530
Parishes .....	2,305
Ordinations—Deacons .....	98
“ Priests.....	86
Candidates for Orders.....	226
Churches consecrated.....	38
Baptisms—Infants.....	23,974
“ Adults.....	6,527
“ Not stated.....	808
Confirmations .....	19,296
Communicants—Added .....	14,138
“ Present number.....	161,224
Marriages .....	9,900
Burials.....	16,828
Sunday-School Teachers.....	17,570
“ “ Scholars.....	157,813
Contributions .....	\$3,051,669.64

The following table exhibits the number of clergymen, parishes, communicants, teachers and scholars of Sunday-schools, and the amount of missionary and charitable contributions for each diocese:



DIOCESES.	Clergy.	Parishes.	COMMUNICANTS.		SUNDAY-SCHOOLS.		Missionary and Charitable Contributions.
			Added.	Present Number.	Teachers.	Scholars.	
Alabama.....	31	44	53	1,705	106	888	\$16,186 82
California.....	30	33	....	....	....	....	....
Connecticut.....	154	131	876	14,250	1,526	10,105	175,854 69
Delaware.....	20	26	218	1,262	280	2,553	23,906 95
Florida.....	8	14	....	....	....	....	....
Georgia.....	27	27	191	1,998	84	796	9,112 59
Illinois.....	89	82	....	....	....	....	....
Indiana.....	33	36	317	1,628	272	2,180	54,535 36
Iowa.....	37	46	369	1,300	268	1,919	23,542 21
Kansas.....	12	15	....	283	58	350	....
Kentucky.....	31	34	375	2,201	222	1,794	45,054 03
Louisiana.....	37	48	324	1,206	129	1,042	39,128 03
Maine.....	17	19	81	1,598	200	1,385	5,477 29
Maryland.....	157	136	1,010	10,755	974	8,080	112,534 34
Massachusetts.....	120	76	433	9,821	....	7,444	185,461 20
Michigan.....	64	68	673	5,050	660	4,723	85,271 60
Minnesota.....	36	27	345	1,266	199	1,736	37,360 42
Mississippi.....	27	44	....	....	....	....	....
Missouri.....	32	34	196	1,660	184	1,371	48,562 03
New Hampshire.....	24	22	138	1,083	97	883	6,415 96
New Jersey.....	118	101	....	7,698	1,053	9,275	228,135 19
New York.....	406	328	2,420	33,790	3,749	37,494	811,231 33
North Carolina.....	51	49	91	2,451	22	1,077	13,753 60
Ohio.....	100	97	844	7,272	780	6,688	181,993 59
Pennsylvania.....	218	162	1,677	17,404	2,425	25,498	327,387 98
Pittsburg.....	33	41	240	2,144	252	2,392	85,472 23
Rhode Island.....	35	35	239	3,615	524	4,241	40,460 62
South Carolina.....	72	68	44	514	23	122	9,691 35
Tennessee.....	27	24	207	1,498	108	1,050	25,933 26
Texas.....	20	29	102	950	102	730	44,823 01
Vermont.....	30	37	4	2,399	177	1,190	11,229 60
Virginia.....	117	172	690	6,066	747	4,421	30,199 59
Western New York.....	164	155	1,560	14,855	1,877	13,117	303,226 19
Wisconsin.....	69	45	421	3,502	472	3,269	69,678 58

The movement for a reunion of the Southern dioceses with the General Convention of the Protestant Episcopal Church of the United States, which began at the close of the year 1865, made rapid progress after the beginning of the year 1866. The diocesan convention of Alabama voted in favor of reunion in January, those of South Carolina and Florida in February, and those of Virginia, Mississippi, and Louisiana in May, thus completing the restoration of the national unity of the Church. In most of the diocesan conventions the vote was unanimous in favor of reunion; a notable opposition being made only in that of Virginia, in which fifty-four clerical and thirty-six lay delegates voted in the affirmative, and seven clergymen and eleven laymen in the negative. The bishops of the dioceses notified the presiding bishop of the Church in the United States of the fact, and the president bishop in his turn officially announced to the Church the consummation of the reunion. Bishop Wilmer, of Alabama, who had been elected and consecrated while the Southern dioceses formed a separate organization, complied on January 31st with the conditions provided for his recognition by the triennial General Convention of 1865, namely: first, that he should transmit in writing (to be signed by him in the presence of three bishops of the Church) to the presiding

bishop of the House of Bishops, the promise of conformity comprised in the office for the consecration of bishops; and, secondly, that he should also transmit to the said presiding bishop the letters of his consecration, or, in default of the existence of such letters, other sufficient evidence as to the fact of his consecration, and the bishops by whom it was done, and the other persons by whom it was witnessed. The presiding bishop thereupon officially announced that the necessary regulations having been fulfilled, "the acceptance and recognition of the Right Rev. Richard Hooker Wilmer, D. D., as the Bishop of Alabama, is now complete."

The annual meeting of the Board of Missions was held in October, in Providence. The receipts of the domestic committee for general purposes amounted to \$54,645, and those of the foreign committee to \$71,000. The "American and Church Missionary Society" held its seventh anniversary at New York, in October. The society employed during the past year 38 missionaries, of whom 12 were new appointments, and 24 recommissioned; seven resigned. The receipts were \$56,412.38, and the expenditures \$54,227.62. The balance on hand October 1, 1866, was \$2,184.76. It was resolved at the anniversary meeting that "a committee of five be appointed to confer with the Evangelical Educational Committee, already existing,



with power, in connection with them, to organize a General Educational Society." The nineteenth anniversary of the Evangelical Knowledge Society was likewise held in New York in October. The annual report set forth that the new works published by the society amounted to 2,497 pages. The treasurer's report announced that the receipts for the past year amounted to \$40,998.32, and the expenditures to \$39,596.31, leaving a balance of \$1,402.01.

The Church of England continued to be greatly agitated by the case of Dr. Colenso, who, in the latter months of the year 1865, returned to his diocese of Natal. The Bishop of Capetown, as Metropolitan of the Anglican Church in North Africa, had offered to Colenso to have the sentence of deposition, which had been passed upon him by a synod of the South African bishops in 1865, revised either by the Archbishop of Canterbury, or by the bishops of the United Church of England and Ireland, or by such bishops of the Anglican communion throughout the British empire as could be assembled in London for the hearing of his case. As Colenso refused to avail himself of this offer, the metropolitan issued a formal sentence of excommunication, reading as follows:

In the name of our Lord Jesus Christ, We, Robert, by Divine permission, Metropolitan of the Church in the province of Capetown, in accordance with the decision of the bishops of the province, in synod assembled, do hereby, it being our office and our grief to do so, by the authority of Christ committed unto us, pass upon John William Colenso, D. D., the sentence of the greater excommunication, thereby separating him from the communion of the Church of Christ so long as he shall obstinately and impenitently persist in his heresy, and claim to exercise the office of a bishop within the province of Capetown. And we do hereby make known to the faithful in Christ that, being thus excluded from all communion with the Church, he is, according to our Lord's command, and in conformity with the provisions of the Thirty-third of the Articles of Religion, "to be taken of the whole multitude of the faithful, as a heathen man and publican." (Matt. xviii. 17, 18.)

Given under our hand and seal this 16th day of December, in the year of our Lord 1865.

R. CAPE TOWN.

The Metropolitan of Capetown notified the Anglican bishops of Great Britain, the British colonies, and the United States of this step. In England some of the bishops disapproved of the measure, while, as far as is known, those of the British colonies and the United States were unanimous in sanctioning it. From the senior bishop of the Protestant Episcopal Church in the United States the following reply was received:

BURLINGTON, VT., May 4, 1866.

To the Most Reverend Robert Gray, D. D., Lord Bishop of Capetown, and Metropolitan:

MY DEAR LORD BISHOP: Your official statement of the greater excommunication formally pronounced by you on John William Colenso, D. D., late Bishop of Natal, and addressed to me as the senior bishop of the Protestant Episcopal Church in the United States, has been received and placed on record.

On my own part, this painful and afflicting work of discipline is perfectly approved, as an act of solemn and imperative duty to the Church of God, and to

her divine Head and Master, the Lord Jesus Christ. And I cannot doubt that it is equally approved by all my brethren, whose sympathy and confidence in the firmness and fidelity of your whole course were so unanimously declared in the resolution passed at our last General Convention.

With my earnest prayer that the Holy Spirit of grace and consolation may guide and prosper all your arduous labors, and mercifully overrule this strange and mournful defection to the greater glory of the Redeemer, and the confirmation of His Church's absolute faith in the sacred Scriptures as the unerring Word of God, I remain, my dear Lord Bishop, with high regard, your friend and brother in Christ,

[L. S.]

JOHN H. HOPKINS,

Presiding Bishop of the Protestant Episcopal Church in the United States.

At the session of the convocation of Canterbury, which began on May 1, 1866, the Archbishop of Canterbury announced that he had received letters from the Bishop of Capetown and the Dean of Maritzburg, asking in substance the following questions: 1. Whether the Church of England hold communion with Dr. Colenso, and the heretical church which he is seeking to establish at Natal, or whether it is in communion with the orthodox bishops who, in synod, declared him to be *ipso facto* excommunicated. 2. Whether the acceptance of a new bishop on the part of the diocese of Natal, while Bishop Colenso still retains the letters-patent of the crown, would, in any way, sever the diocese from the mother Church of England. 3. Supposing the reply to the last question to be that they would not in any way be severed, what are the proper steps for the diocese to take to obtain a new bishop? The discussion of these questions showed that the bishops were any thing but agreed. The Bishop of Oxford wished all the three questions to be answered in a manly and hearty manner, while the Bishops of St. Asaph, Llandaff, St. Davids, Lincoln, Ely, and Peterborough, were opposed to immediate action. In the session, beginning June 26th, the discussion of the case was resumed. The Bishop of Oxford moved to reply, in answer to the first question submitted to the convocation, that the Church did not hold communion with Dr. Colenso, and that it did hold communion with the orthodox bishops of South Africa. A majority of the bishops were, however, opposed to committing themselves on the first part of the resolution, and by five against four votes adopted an amendment, declaring that they held communion with the Bishop of Capetown, and those bishops who with him declared Dr. Colenso to be *ipso facto* excommunicated. The lower house gave to this amendment a unanimous consent. In reply to the second question, the Bishop of Oxford moved the following declaration: "That as it has been decided, on appeal to the highest judicial court in this kingdom, on the one hand, that the Church in the province of Natal, in communion with the United Church of England and Ireland, is in the eye of the law a mere voluntary association; and, on the other hand, as the letters-patent do not profess to confer spiritual power, and have been declared by the court to convey no episcopal jurisdic-



tion, it is the judgment of this house that the acceptance of a new bishop does not impair the connection or alter the relations existing between the members of the Church in the province of Natal and the Church of England, provided: 1. That the bishop be canonically consecrated according to the use of the Church of England. 2. That there be no invasion of the title of the Bishop of Natal conveyed by her majesty's letters-patent."

As regards the third question (the proper measures to be taken to secure the election of a new bishop), the Bishop of Oxford proposed that the House of Bishops should recommend: 1. That an instrument should be prepared declaratory of the doctrine and discipline of the Church of South Africa, which every priest and deacon appointed to any office should be required to subscribe. 2. That a godly and well-learned man should be chosen, with the consent of the communicants of the Church, to be the bishop. 3. That the person so selected should be presented for consecration either to the Archbishop of Canterbury or to the bishops of the Church in South Africa, as might be hereafter deemed most advisable. The Bishops of London, St. Davids, and others declared themselves opposed to the appointment of a new bishop, but after being submitted to some verbal alterations, the first resolution of the Bishop of Oxford was carried by six to four. The second resolution was also agreed to. The lower house assented to both resolutions. Notwithstanding these proceedings against him, Colenso continued to perform his episcopal functions in his diocese. Of the seventeen clergymen of the diocese, only one sided with him; but, on the other hand, the secular authorities of the colony gave him all the support that was in their power. Colenso also obtained, in October, a decision in his favor by the Master of the Rolls (Lord Romilly), who decided that the trustees of the Colonial Bishopric's Fund were obliged to pay to Dr. Colenso the arrears of his salary which they had deemed themselves authorized to cut off. But about the same time when this decision was rendered, the majority of the clergy and laity of Natal took the last step for a complete severance of their ecclesiastical connection with Colenso. On October 25th a meeting was held of the clergy of the diocese of Natal, to consider the replies sent out by the English convocation to the queries forwarded through the metropolitan, in 1865, from the Church in Natal, and, in accordance with the advice tendered, to elect a bishop for the vacant see. Fourteen clergymen and about fifty communicants were present. The two clerical supporters of Colenso were present, but not allowed to vote. A letter was read from the Bishop of Capetown, urging them to elect a new bishop, and, as regards the mode of election, giving this advice: "The clergy elect; communicants assent. They alone have to do with the matter. All communicants have a right, I apprehend, according to the customs of the primitive Church, to express their

assent, if they so will." The Bishop of Grahamstown wrote "to express his general concurrence in the views as to the election of a bishop contained in the metropolitan's letter to the dean." The discussions extended over two days. The final result was that the clergy present were evenly divided, seven voting for the election of the Rev. William Butler, Vicar of Wantage (of the diocese of Oxford), as bishop, and seven voting against such election, holding such a course to be illegal, and opposed to the advice of the convocation. Dean Green gave his casting vote in favor of the election. Twenty-eight laymen also voted for it. The dean then pronounced that the Rev. William Butler had been duly elected. The congregation of St. John's Church, Pinetown, held a meeting, repudiated this election, ejected their incumbent, the Rev. James Walton, for the part he had taken in it, and then called upon Dr. Colenso to appoint a new minister. On October 30th, a meeting of the supporters of Dr. Colenso was also held at the cathedral, to protest against the election, at which about 200 persons were present. A protest, the adoption of which was moved by the Colonial Secretary, and seconded by the Secretary for Native Affairs, was unanimously agreed to. The protest declared that the clergy and laity concerned in the election had, by that act of legislation, renounced the queen's supremacy, and forfeited their membership of the Church of England. Dr. Colenso, on his part, contended that all persons taking part in conventicles or private meetings to consult on any matter or course impeaching the doctrine of the Church of England or of the Book of Common Prayer, or of any part of the government or discipline now established in the Church of England, were *ipso facto* excommunicated, in terms of the 75th canon of the Church, and that Dean Green and his supporters were therefore excommunicated by their own act in electing a bishop without her majesty's authority. The English Government instructed the officers of the crown in the colony to observe a strict neutrality in the controversy.

Another controversy in the Church of England, which, during the past year, obtained a great importance, was that of the ritualistic changes in the worship of the Church. A number of clergymen had for some time past introduced into their churches practices for which they claimed both the authority of the Anglican Church of former centuries and of the ancient Christian Church, but which by another party were viewed as "a deviation from law and long-established usage, and as disturbing the peace and impairing the efficiency of the Church, and as disquieting the minds of many devout members of the Anglican communion." Some of the opponents of "ritualism" were of opinion that the Book of Common Prayer, in its present form, gave some encouragement to the ritualists, and they desired the appointment of a commission by the Government "for the revision of the Liturgy." To this scheme



the Archbishop of Canterbury declared his determined opposition, and Earl Russell (in reply to Lord Ebury, February 12th) stated that the Government, "anxious to promote peace and good-will, and not to open the way to discord," had, after communicating with the Archbishop of Canterbury, declined to propose the forming of a commission. The friends of "church ornaments" had accordingly (February 3d) presented a memorial to the Archbishop of Canterbury, signed by 36,008 communicants, of whom 24,133 were laymen, and 2,970 clergy of the Church of England, against any alterations being made in the Book of Common Prayer respecting the "ornaments of the Church, and of the ministers thereof;" and the mode and manner of performing divine service "according to the use of the Church of England."

The archbishop, in his reply, while repeating his declaration that he would never consent to any alteration in any part of the Book of Common Prayer without the full concurrence of convocation, at the same time declared his decided opposition to many of the ritualistic innovations. The lower house of convocation, at its session in February, after a long and animated discussion, agreed to the following resolution: "That this house, recognizing the evils which may arise from an excess of ritualism, deprecates, nevertheless, any attempt to avert those possible evils by the introduction of changes in the prayer book; that in coming to these resolutions the house by no means intends to express approval of any alteration from church order not included in the expression 'excess of ritualism.' That this resolution (the first paragraph) be communicated to their lordships of the upper house, with a humble request that they take the subject into their consideration, and adopt such measures as they shall see fit, in conjunction with the house, for clearing the doubts and allaying the anxiety that exists upon it." The bishops, in return, desired the lower house to appoint a committee of inquiry. The report of this committee was made by its chairman, Dr. Goodwin, Dean of Ely, in July. The report gives a history of the ritualistic usages which the party tries to introduce, and deprecates any attempt at a judicial settlement of the question of ritualism, urging moderation on both sides. The report of the committee was adopted by a vote of 38 to 9.

The monastery of the "English Order of St. Benedict," at Norwich, was dissolved in consequence of the long absence of its founder, the Rev. Mr. Lyne ("Father Ignatius"), and from want of support. Mr. Lyne, toward the close of the year, received an appointment as a curate in the diocese of London. A monastery of the "Third Order of St. Benedict" was still in existence at the close of the year, at Bristol.

The efforts for bringing on a closer union between the Anglican churches on the one hand, and other religious denominations possessed of an apostolical succession on the other,

were actively pursued. The societies chiefly instrumental in pursuing these efforts on the part of the Anglican churches are the "English Church Union," the "Association for the Promotion of the Unity of Christendom," and the "Eastern Church Association." The latter confined its efforts to the Eastern Churches, while the two former have a more general tendency, and in particular keep in view the establishment of closer relations with the Roman Catholic Church. An interesting correspondence between a number of Anglican clergymen and Cardinal Patrizi took place in the latter months of the year 1865, but was only made public in 1866. The letter of the Anglican clergymen (written in Latin) was signed by 198 "deacons, canons, parish priests, and other priests," and addressed to "the Most Eminent and Reverend Father in Christ, the Lord Cardinal Patrizi." As regards the relation of the Anglican Church to that of Rome, the writers say: "Whatever may have been less perfect in the faith of the flock, in Divine worship and in ecclesiastical discipline, we have improved beyond our hope; and, not to be forgetful of other things, we have shown an amount of good-will toward the venerable Church of Rome, which has rendered us suspected in the eyes of some." The cardinal, in his reply, which is dated November 8, 1865, salutes the writers as "Worthy and Very Dear Sirs," and he assures them that their letter has inspired the "sacred congregation with a most pleasing hope." But he declines to admit their claims to the name "Catholic," and describes their condition as an "inherited state of separation." He concludes with the hope that they will "no longer hesitate to throw themselves into the bosom of that Church which, from the Apostolic See through the succession of its bishops, while heretics have barked in vain, has attained the pinnacle." The views of Dr. Pusey, concerning a union between the Churches of England and Rome (*see ANNUAL CYCLOPÆDIA for 1865, p. 26*), were supported by the "English Church Union," of which society Dr. Pusey has become a member. At a discussion on the subject, Dr. Pusey stated that as the basis of such a union he proposed "the decrees of the Council of Trent and the Thirty-nine Articles, both documents being properly explained." As regards the movements for a closer intercommunion between the Eastern and the Anglican Churches, the Convocation of Canterbury was requested by the Russo-Greek committee of the lower house, for an enlargement of their powers. They were appointed originally "to communicate with the committee appointed at the general convention of the Protestant Episcopal Church in the United States as to intercommunion with the Russo-Greek Church, and to communicate the result to convocation." They now requested permission to consider the question of "intercommunion with the Oriental churches generally;" and the request was granted. The "Eastern Church Association"



published in 1866 its first annual report. The principles of the association are thus stated in the report: "To establish such relations between the two communions as shall enable the laity and clergy of either to join in the sacraments and offices of the other, without forfeiting the communion of their own church; secondly, that any overtures toward such an object should be made, if possible, in coöperation with those churches with which the Church of England is in communion; and thirdly, that such overtures, whenever made, should be extended to the other Eastern Patriarchates, and not confined to the Russo-Greek Church. The association numbers two hundred and eighty members, and among its patrons are English, Scotch, Colonial, American, and Eastern bishops. (On the results of the Society's labors in the East, see the article "EASTERN CHURCHES.") A number of the Anglican friends of this movement regarded the Eastern Churches as right in rejecting the addition of *filioque* (the procession of the Holy Spirit from the Father "and the Son" to the Athanasian Creed, and one of them (Rev. J. Ouseley) publicly declared that he had abandoned the Anglican communion office, and the *filioque* too, for at least the last two years. A priest, claiming to be an Eastern bishop (Rev. Julius Ferretta), who made his appearance in England, met with a cordial reception on the part of a number of Anglican clergymen. (See EASTERN CHURCHES.) Some advance was also made in 1866 toward a closer intercommunion with the Episcopal Lutheran Churches of the Scandinavian countries. (See LUTHERAN CHURCH.) An important step toward effecting a closer union between the Established Church of Great Britain and Ireland on the one hand, and the Scottish Episcopal Church on the other, was a declaration made by the Archbishop of Canterbury at the laying of the foundation-stone of a cathedral at Inverness, Scotland, in October, 1866, that the Scottish Episcopal Church is the only true representative of the Church of England in Scotland, and that the prelates of the Church of England pretend to exercise no jurisdiction over clergymen in Scotland.

The House of Bishops of the Convocation of Canterbury, took, in 1866, for the first time, decided steps for an increase of the number of bishops. The Bishop of Oxford presented the unanimous request of a committee appointed to consider "as to the best mode of providing assistance for bishops in the event of illness, or old age, or the like, rendering them unable to discharge the duties of their office, and needing some assistance in the performance of the same." The committee considered the appointment of coadjutor bishops *cum successione*, would be undesirable, being not suited to the Church of England. But, on the other hand, they considered it very desirable to bring into active operation the act of Henry VIII., which empowers the nomination of suffragan bishops to different posts in England, who might render

every assistance that might be required. The committee were of opinion that in most cases the expense of those suffragan bishops could be met by their holding important posts, such as deaneries and canonries, in connection with the Church. Any legislation for the settlement by law of any expense upon those bishops to whom the assistance was rendered, was deemed inexpedient. The committee also recommended that an attempt should be made, through the Archbishop of Canterbury, to sweep away any difficulties which have existed in regard to the matter. As regards the appointment of suffragan bishops, the bishop is to nominate two, and the crown to select one of these. On motion of the Bishop of Oxford, seconded by the Bishop of London, the report of the committee was adopted.

The sixty-seventh annual meeting of the English Church Society was held May 1st, at Exeter Hall. From the report, it appeared that the total ordinary income amounted to £146,208 1s. 9d.; total ordinary expenditure, £144,558 17s. 4d.; surplus, £1,649 4s. 5d. The local funds raised in the missions and expended there upon the operations of the society, but independent of the general fund, were not included in the above figures, amounted to £20,000. The society has at present 148 missionary stations, 278 clergymen, 21 European laymen, 9 European female teachers (exclusive of missionaries' wives), and 2,122 native and country-born catechists and teachers of all classes, not sent from home. The number of communicants in 1860 was 19,828; 1861, 21,064; 1862, 21,261; 1863, 18,110; 1864, 18,124; 1865, 14,155. These figures did not include the New Zealand mission, the returns from which had not been received on account of the disturbed state of the colony. The society has withdrawn from seventy-seven stations, chiefly added to parochial establishments in the West Indies or transferred to the native church in Sierra Leone, containing ten native clergy, 4,356 communicants, and 12,866 scholars. The annual meeting of the Society for the Propagation of the Gospel in Foreign Parts, was held April 26th. The income of the society for 1865 was £94,957 11s. 3d.; and the expenditure for the same period was in British North America, £22,120; in the West Indies, £1,328; in South Africa, £11,000; in the rest of Africa, £1,460; in Asia, £31,372, and in Australia and New-Zealand, £6,271. The English "Church Congress" for 1866 was held at York, and both the archbishops of England took an active part in its proceedings.

The archbishops and bishops of the United Church of England and Ireland, in 1866, gave their assent to the establishment of a lay diaconate, the persons composing it to be set apart by episcopal authority, to act in all cases under the direction of the parochial clergy, and to be designated as "readers." They are to be publicly appointed after an examination by a bishop, but not to be set apart by the imposition of hands as in the case of bishops, priests, and



deacons. They are to minister in outlying districts, but will not have authority to administer the holy communion—that part of the church service being taken on stated days by the parochial clergy. The “readers” are not to be addressed as “reverend,” but they are to wear the surplice in their ministrations. At the first annual meeting of the “Association of Lay Helpers,” in the diocese of London, about fifty persons were present.

ANHALT, a duchy in Germany. Area, 1,017 Engl. square miles. Population, in 1864, 193,046. Capital, Dessau, with 16,306 inhabitants. In the German war, in 1866, Anhalt sided with Prussia, and after the conclusion of the war it joined the North German confederation.

ARGENTINE REPUBLIC. President (from October 12, 1862, to October 11, 1868), Bartolomé Mitré; Vice-President, Marcos Paz. Minister of the United States at Buenos Ayres, General Alexander Asboth, appointed in October, 1866.

The area of the republic is estimated at 38,890 geographical (or about 825,000 English) square miles. Exclusive of this territory the Argentine Government claims Patagonia, which is generally connected with Chili, and the whole of the Gran Chaco, parts of which are generally counted with the territory of Bolivia and Paraguay. The population of the republic in 1857, and, according to Martin de Moussy\*, in 1863, was as follows:

	Population in 1857.	Population in 1863.
Buenos Ayres.....	(Not counted)	350,000
Entre Rios.....	79,282	107,000
Corrientes and Missions..	85,447	90,000
Santa Fé.....	41,261	45,000
Cordova.....	137,079	150,000
Santiago del Estero.....	77,575	90,000
Tucuman.....	84,136	100,000
Salta.....	(Not counted)	80,000
Jujuy.....	35,189 (†)	40,000
Catamarca.....	56,000 (‡)	80,000
La Rioja.....	34,431 (†)	40,000
San Juan.....	(Not counted)	70,000
Mendoza.....	47,478	50,000
San Luis.....	37,602	45,000
Indian territory in the North.....	....	10,000
Indian territory in the South.....	....	30,000
Total.....	....	1,377,000

The war which the Argentine Republic (in common with Brazil and Uruguay) has for some time been carrying on against Paraguay, continued throughout the year. (See PARAGUAY.) In some provinces, especially those bordering

upon Paraguay and Bolivia, great dissatisfaction with the continuance of the triple alliance and the war was expressed, and repeated attempts were made at stirring up civil war and a separation of some of the northern provinces from the Argentine Confederation. Most of these attempts were easily suppressed; but the latest reports from Buenos Ayres stated that, in December, the insurrection in Mendoza was becoming more serious, the chief having upward of three thousand men at his command, and being evidently supported by Chili. In Catamarca the insurrection was also reported still to hold the Government. The sympathy of Chili, Peru, and Bolivia with the Paraguayans threatened the friendly relations which had hitherto existed between these republics and the Argentine Confederation, and toward the close of the year fears were entertained of an invasion of Argentine territory by a Bolivian army. (See BOLIVIA.) The Argentine Government took, however, occasion from the bombardment of Valparaiso by the Spanish fleet, to protest against this act as contrary to the principles of international law.

Notwithstanding the continuance of the war which taxed the strength of the government to the utmost, the republic is at present making greater progress than during the previous peace. On September 11th the Western Railroad was opened ten leagues farther, to the town of Chiviledy. This finishes one hundred and ten miles of railroad westward from Buenos Ayres. This railroad traverses a fine country, and already has a great business. It is owned by the government. In the same month two American gentlemen, Messrs. Hopkins and Cary, obtained a charter from Congress for a telegraph from Buenos Ayres to Chili. In October the submarine cable which connects the cities of Buenos Ayres and Montevideo was successfully laid. It lies on the bed of the river, between Buenos Ayres and Colonia, a distance of twenty-six miles. The works on the Argentine Central Railroad, from Rosario to Cordova, were suspended in November, 1866, on account of the tardiness of the government in making out the titles to the public lands granted to the company. For every twenty leagues of railroad there was to be a transfer of title to the granted lands, and the company having finished the railroad about twice that distance, needed the land, on which to base the issue of bonds. But though the materials for the entire railroad had all arrived, or were *en route* from Europe, yet there was this obstacle to the work. This road, when finished, will be the grandest road south of the equator, sweeping for two hundred and fifty miles through a region of great fertility.

On December 10th a convention to reform the constitution of the republic met at Santa Fé, in a kind of general caucus. On the 11th it had a preliminary meeting, and on the 12th they proposed amendments, discussed them, voted on them, and adjourned. The

\* Martin de Moussy, the author of the great work, *Déscription de la Confédération Argentine* (tom. iii., Paris, 1864), is called by Page (in his work, “La Plata,” London, 1859) “an eminent scientific man,” and his work is recommended by Sir Woodbine Parish, who himself is the author of the best-known book on the La Plata States, to all who desire to have the latest and most accurate information on the subject. M. de Moussy has carefully compared all the censuses and estimates of population, and his statements are universally accepted as those most entitled to credit.

† Census of 1855.

‡ Census of 1854.



only point of amendment intended was to give the permission to Congress to levy duties on exports. This has been done heretofore, but the period has expired within which the constitution permitted it. The vote stood 22 to 19. All the provinces were represented in proportion to their representation in Congress. Among other reforms aimed at is a reorganization of the common-school system. A commission was, in 1866, engaged in examining the various systems in the world, with reference to thorough and radical reforms. It was regarded as likely that the school system of the United States would be adopted.

The estimate for the wool-clip for the year 1866 is one hundred millions of pounds. The export duty on wool, hides, bones, tallow, etc., produces about three millions of silver dollars per annum. This tax is designed chiefly to pay interest and for the reduction of the public debt. As the amount of exports doubles every four years, this export duty must soon lift the nation out of debt.

The government imitated the policy of that of the United States in issuing treasury notes, bearing interest, for payment of government dues, and to be received in payment of custom-house duties. They represent silver dollars, and are of the denominations of \$5, \$10, \$20, \$50, and \$100.

Immigration for 1865 to the Argentine Confederation foots up to two thousand five hundred and forty. This does not include those who came by steamer, neither does it except those who left the country for foreign parts, of whom there have been many. The greatest progress immigration has made is in the province of Santa Fé, where the first colonial settlements began ten years ago, and where now over five hundred and fifty foreign families are settled. In the Gran Chaco a California colony has been established, which is doing very well, and already has a great many acres in grain. The Argentine Government look upon this colony as one of great hope and promise.

In consequence of the foreign immigration, Protestant churches and schools are being established in a number of places. The most numerous Protestant body in the country is the Protestant Episcopal Church. From the latest report of the superintendent of the Methodist mission, Rev. Dr. Goodfellow, dated October 10, 1866, we gather the following intelligence: In the city of Buenos Ayres the Methodist congregation has 92 members, 44 probationers; total, 136; 90 scholars in Sunday-school, and 19 officers and teachers. In Buenos Ayres circuit there are 6 regular preaching-places, and 1 occasional, with 11 members and 9 probationers. In Rosario the Sunday school has about 20 scholars, and the day school 40. The settlement of Californians on the border of the Indian territory would soon be visited by a missionary. Esperanza has a Protestant population of 500 souls, mostly Germans. The government has agreed to aid the Protestant school with \$25 Bolivian

currency per month, about \$20 silver. San Carlos has about 300 Protestant persons, and the Methodist mission has a church, school, and parsonage. In Villa de Urquiza there are about 200 Protestants, mostly German, with a school taught by the Methodist missionary. In Cordova a Sunday-school has been established.

ARKANSAS. The government of the State of Arkansas continued during the year as it had been organized in 1864, with the exception of the resignation of the Lieutenant-Governor. An election was held, on the first Monday of August, for the choice of an Auditor, Treasurer, Supreme Court Judges, and members of the Legislature. The total vote given for Auditor was 34,407, which was divided among three candidates as follows: Miller, Union, 15,241; Fagan, Union, 12,690; Berry, Republican, 6,476. Cunningham was chosen Treasurer; and — Clendenin and — Walker, Judges of the Supreme Court. Twenty-five Union members were chosen to the Senate, and seventy-nine members to the House, of whom five were Republicans. All persons were allowed to vote who were free white male citizens of the United States, and had attained the age of twenty-one years, and had been citizens of the State during the last previous six months, without taking a test oath or any other preliminary oath whatever. The Legislature had attempted to require a test oath to be taken by all voters in the State, as a prerequisite to their right to exercise the elective franchise. Under this authority Governor Murphy in his first proclamations stated that no one could be allowed to vote until he had taken the oath. But in December, 1865, the Supreme Court of the State declared the law to be unconstitutional, and all oaths were abandoned.

The Legislature assembled at Little Rock, on November 5th. It was the first session, in which all parts of the State were represented, that had been held since the reorganization in 1864. Its acts were confined almost entirely to local interests. It accepted the lands donated by Congress for agricultural colleges; located an institution for the blind at Arkadelphia, with an appropriation for its support; and previous to its recess, near the close of the year, inaugurated measures for the remission of taxes for the years from 1861 to 1865; to rebuild the court-houses and jails burned down; to repeal the stay law; to define the rights of persons of color; to provide for the support of wounded and disabled soldiers, and the indigent children of deceased soldiers, whether in the Northern or Southern service; to provide for the payment of debts in instalments; to bestow civil rights on mulattoes and negroes, except the right of intermarrying with whites, of voting, serving on juries, mingling in public schools with whites, and doing militia duty; to regulate the labor system; to encourage immigration, etc., etc. In the House, on November 16th, a resolution was offered, setting forth that President Johnson was entitled to and would receive the support



and gratitude of the people of Arkansas, in pursuing the policy exhibited in his official acts, and standing between the citizens and the unholy legislation of radical majorities. A motion to lay on the table was lost—yeas, 17; nays, 55. It was referred to the Committee on Federal Relations.

On December 8th the following resolution was offered:

That this General Assembly, and the people of the State of Arkansas, tender our gratitude to General Jefferson Davis, for the noble and patriotic manner in which he conducted the affairs of our government, while President of the Confederacy; and that we assure him of our most earnest and heart-felt sympathy while with unexampled fortitude he endures in Northern prisons unparalleled suffering as a martyr to liberty; and that although we may strive to forget the wrongs unjustly heaped upon him, yet his name is and ever shall be enshrined in every true Southern heart. May he outlive his persecution, to comfort his family, honor his country, and adorn the world!

It was referred to the Committee on Federal Relations.

On December 10th the following was offered, and referred to the same committee:

*Resolved, by the General Assembly of the State of Arkansas, That to calm the troubled waters of our political atmosphere, we ratify the Constitutional Amendment of the Constitution of the United States, as recommended by his excellency Governor Murphy.*

The views of the Legislature on various public questions were expressed in the reports of committees, and the debates. On December 10th the Committee on Federal Relations in the Senate reported the following resolution relative to the Constitutional Amendment proposed by Congress:

*Resolved, That the General Assembly of the State of Arkansas declines to ratify the amendment, adding article fourteen to the Constitution of the United States, as proposed by joint resolution of Congress.*

The reasons urged by the committee in support of their recommendation were as follows:

1. It is not known, nor can it be, to the State of Arkansas, that the proposed amendment was ever acted upon by a Congress of such a character as is provided for by the Constitution, inasmuch as nearly one-third of the States were refused representation in the Congress which acted upon this amendment.

2. This proposed amendment was never submitted to the President for his sanction, as it should have been, according to the very letter of that Constitution under which Congress exists, and which it has sought to amend.

3. The great and enormous power sought to be conferred on Congress by the amendment, by giving to that body authority to enforce by appropriate legislation the provisions of the first article of said amendment, would, in effect, take from the States all control over their local and domestic concerns, and virtually abolish the States.

4. The second section seems, to the committee, an effort to force negro suffrage upon the States; and whether intended or not, it leaves the power to bring this about, whether the States consent or not; and the committee are of the opinion that every State Legislature should shrink from ever permitting the possibility of such a calamity.

5. The third section, as an act of disfranchisement

which would embrace many of our best and wisest citizens, must, of necessity, be rejected by the people of Arkansas.

The committee say that they have particularly remarked one peculiar feature in the first section of the proposed amendment; that is, the portion which declares, "nor shall any State deprive any person of life, liberty, or property without due process of law." "This is almost identical in language with the fifth amendment to the Constitution, and if this provision already in existence will not secure the object designed, what assurance have we that a similar one will not be disregarded." They decline to recommend it on the further grounds that it imposes new and additional obligations on the people not contemplated or intended when the general amnesty was proclaimed, on May 29, 1865. They say: "The people of Arkansas have accepted and performed all the conditions of the surrender and general amnesty, and with wonderful unanimity have accepted the results of the war, and according to all law are entitled to all their rights as guaranteed by the Constitution, and to be restored to the Union as before the war. They have submitted in good faith, with an earnest desire to make the United States a common country, to be cherished in our hearts and defended by our arms.

"We cannot tell what may be in store for this State. She and others may be forced to take this amendment, and even harsher terms; but as valuable as restoration may be, the people of Arkansas can never agree to purchase it at such a sacrifice of principle, dignity, and self-respect as is demanded in the adoption of this proposed amendment. We had better bear our troubles, trials, and deprivations, and even wrongs, in dignified silence, than commit an act of disgrace, if not annihilation, such as would result from the adoption of this amendment by the Legislature."

No action was taken by the Legislature relative to the passage of this amendment previous to the recess at the close of the year. But a commission, to be sent to Washington, was provided for, which was to consist of the President of the Senate and three members of that body, seven members of the House, and three citizens, not members of the Legislature, to be appointed by Governor Murphy. The Governor declined to appoint. The object of the commission was to confer with the Federal Government respecting their mutual relations. This commission was in part induced by the assembling in convention at Fort Smith of citizens calling themselves "Loyalists," who addressed a memorial to Congress for the removal of the existing State government, by the passage of an "enabling act," authorizing them to form a new State government.

On November 23d the following resolution was offered in the House, and passed unanimously. Subsequently it was concurred in by the Senate:



*Be it resolved by the General Assembly of the State of Arkansas,* That a joint committee, to be composed of the separate Committees on Federal Relations, of the Senate and House of Representatives, is hereby created, with instructions to prepare and report to each House a memorial to the President and Congress of the United States, setting forth the true position of the State of Arkansas, and the spirit and wishes of the people thereof, with regard to the restoration of the Union in all its parts; and the measures which might be most efficient in restoring a condition of harmony; and the coöperation of all the States in the promotion of the national prosperity in a manner consistent with the honor and dignity of the citizens of the respective States.

The reasons urged for the adoption of the resolution were stated to be a conviction that the people of the Northern States had been deceived by misrepresentations made to them as to the opinions of the people of the Southern States, and the motives which dictated their actions: whereas justice to the people of Arkansas and their posterity demanded that the truths of history should be known. The present Legislature was the first official body convened for four years which represented all parts of the State. Every shade of political opinion had an opportunity to represent itself through a free election, and in the resolution they resolved to appeal to the better judgment of the American people.

The views of the Legislature respecting the action of the State in her legislative capacity during the war, and indirectly her relations to the Union, were expressed in connection with some questions arising out of certain land sales by her agents during the war. The question presented was, to what extent the present constitution of the State repudiates or makes null and void the action of the authorities between May 1, 1861, the day on which the State seceded, and the adoption of the present constitution. The Judiciary Committee made a majority and a minority report. The former took the ground that the Legislature itself had acknowledged the present constitution as the supreme organic law of the State, by assembling in obedience to its commands. This constitution declared the entire action of the convention of 1861 to be null and void, and never binding, nor any action of the State under its authority. But it provided that this declaration should not be so construed as to affect the rights of individuals, change county boundaries, invalidate the acts of justices of the peace, conveyances, marriages, etc. The words "rights of individuals" were too vague, indefinite, and ambiguous to mean any thing specially, and must be regarded as inoperative and void; therefore, with the exceptions specifically named, all actions of the State done under the authority of the convention of 1861 must be treated as null and void, and this included sales of land.

The minority report admitted the present constitution to be the supreme organic law of the State, and asserted that the same rules of interpretation and construction were applicable to it as to any other constitution of the State for the purpose of ascertaining its mean-

ing and effect. It then submitted the following propositions:

1. That the Constitution of the United States, and all laws made in pursuance thereof, and all treaties, are the supreme law of the land, any thing in the constitution or laws of any State to the contrary, notwithstanding.

2. That the people of this State have now, and always have had, the exclusive right, as a free people, of governing themselves, and of exercising and enjoying every power, jurisdiction, and right pertaining to a State which was and is not delegated to the United States.

3. That aside from the fact that the end and object of all government, especially in the United States, is the safety of the people and the preservation of property, and that, by tacit reservation of the people, the State has, in exercising the powers of government by the consent of the people, either in convention assembled or by ordinary legislation, no power to ruin the one or destroy the other; that the Bill of Rights, in every constitution of the State, has declared, that no man shall be imprisoned or dis seized of his freehold, liberties, or privileges, or in any way deprived of his life, liberty, or property, but by the judgment of his peers or the laws of the land; and that no *ex post facto* laws, or law, impairing the obligation of contracts, shall ever be made in this State.

4. That the conventions of 1861 and 1864, being both conventions of the people, were equal in power and authority. That while the latter had the power and authority to declare that the entire action of the former was not, from the time of the adoption of the latter, binding and obligatory, and that all the action of the State, of whatever character, under the authority of the convention of 1861, was no longer binding, but null and void from the time of the adoption of the constitution of 1864, saving the exceptions therein stated; yet the convention of 1864 had no power to declare that acts done under said convention of 1861 and its constitution relating to internal government and police regulations in the State, and not relating to the powers delegated to the national Government, never were binding and obligatory upon the people of this State, but void *ab initio*. This character of *ex post facto* and retrospective ordinances and legislation is beyond even the power of a convention; for if an act be done under a law, even a convention cannot undo it. The past cannot be recalled by the most absolute power. And by maintaining that the convention of 1864 did do this, would be, in effect, declaring a *hiatus* in the government of the State from 1861 to 1864, during which there was no civil authority whatever; whereas, it appears not to have been so considered by said convention of 1864, for they recite the object of their convening to be, among other things, to "continue ourselves as a free and independent State."

5. That the ordinance of secession of the convention of 1861, and all other actions of said convention and the State under its authority, in contravention of or in conflict with the Constitution, constitutional laws, and treaties of the United States and the delegated powers of the General Government were null and void and inoperative *ab initio*. This would be so, aside from any declaration to that effect in the constitution of 1864.

6. That all parts of the constitution are to be reconciled with each other and the general subject, and therefore the proviso "that this ordinance shall not be so construed as to affect the rights of individuals," from the public history of the country at the time of its adoption, the manifest object in view and general purview of the ordinance, was intended to protect the rights of individuals in all internal municipal laws and police regulations of the State, which were not void *ab initio* by reason of conflict with the delegated powers and just authority of the United States, and which were rendered null and



void from and after the adoption of said constitution of 1864. And as conclusive that some meaning was attached to this proviso, and that the convention were desirous of preventing a more extended construction of this proviso, whereby the State might become bound to individuals, they further provided, "that no debt or liability of the State of Arkansas incurred by the action of said convention or of the Legislature, or any department of the government under the authority of either, shall ever be recognized as obligatory." But to give to those words the extended meaning of which they would be susceptible in other connections, would lead to the absurdity contended for by the majority report, which the minority are of the opinion would be contrary to the manifest intent of said convention, as gathered from the whole instrument.

7. "How legitimate rights can be acquired under authority declared to be illegal and void," can be conceived by recurring to the fundamental principle that the past cannot be recalled by the most absolute powers; that all the acts of the State, relative to her internal municipal laws and police regulations, were valid, and were only rendered invalid, saving the exceptions named, from the adoption of said constitution of 1864. Were this not the case, if another civil war should arise, persons entertaining different views might succeed, and again declare that the present constitution and all acts done under it were, and ever had been, null and void.

In accordance with these views, the minority believe that all sales of lands of the United States and of the lands of persons, on account of their allegiance thereto, were at all times, and are now, by the Constitution of the United States and the constitution of 1864, null and void. No legislation can protect the supposed interests of persons in the purchase of the same; but that the State ought to be bound by her action in selling lands, which, prior to, and on the 6th of May, 1861, belonged to her, and that suitable legislation could and ought to be made, to protect the interests of persons interested therein.

In the Senate, the minority report was substituted for the majority and adopted—yeas 16, nays 6.

The election of a Senator to Congress for the long term, and another for a short term, occasioned by the resignation of William M. Fishback, commenced in each House under the recent act of Congress on November 20th. Neither House was able to agree upon a Senator, and both met in joint convention on the 24th, when John T. Jones was elected for the short term. No choice was made for the long term. A joint convention was again held on the 26th, without success; but on the 27th, Andrew Hunter was chosen, who had been for the last twenty-five years an itinerant minister of the Methodist Church.

The recommendation of the Governor relative to public schools was promptly responded to by the Legislature. A bill was introduced providing for the support of these schools by levying a special tax of one-fifth of one per cent. on all taxable property belonging to white citizens, and admitting to the benefit of the schools all white children between the ages of six and eighteen years. Special officers were to be appointed to administer the system.

The present debt of the State was created entirely on account of the banks, and on January 1, 1860, amounted to \$3,182,968. Of this sum \$2,097,145 is secured by a mortgage upon

188,110 acres of the best and most valuable lands in the State. The remaining sum of \$1,085,822 is a total loss to the State. The entire debt, with interest, on December 31, 1866, was \$3,575,121. No measures were adopted during the year for the liquidation of this debt. It was suggested to the Legislature to issue twenty-year bonds, and to provide for their payment by a sinking-fund. This would put an annual burden on the State of \$254,000; while her present revenue was estimated at \$500,000. The internal resources of the State can hardly be exaggerated. Eight rivers, all navigable to a greater or less extent, and with numerous tributaries navigable at certain seasons, flow through the State to the Mississippi, and contribute to a fertility and diversity of soil unsurpassed. In Northern Arkansas all the grains, such as wheat, oats, rye, barley, and corn are grown with great success, and the apple, the pear, the peach, the quince, and the grape, and all species of the melon thrive most abundantly. South of, and along the Arkansas River, which cuts the State into two nearly equal parts from northwest to southeast, all these fruits are grown equally as well; and others of a more tropical nature, as the fig and apricot, are easily produced. Cotton is nevertheless the great staple of the State. The uplands produce from 800 to 1,200 pounds of seed cotton per acre. On the river bottoms the increase is still larger. Timber on the uplands is abundant and consists of black, white, red, and post oaks, hickory, yellow pine, dogwood, and maple, while on the margins of the little streams are the walnut, beech, elm, and yam. Coal has already been found and surveyed in twelve counties, and in those farthest from the great coal-basin east of the Mississippi. In other minerals the State is very rich.

The Governor, in his message to the Legislature, in November, speaks of a proscriptive party spirit, which had shown itself in portions of the State so violent as to threaten an appeal to arms. No facts were stated, and the press urged the Legislature to call upon him for more specific information, declaring an utter ignorance of the facts upon which his remarks were based. That body, soon after its organization, directed a select committee to consider so much of the message as referred "to the development of a proscriptive party spirit," and to extend the field of investigation so as to inquire in what manner the freedmen were treated in the State. The only disturbance known at the time of the elections occurred in Washington County. There an armed party of about one hundred men interfered and broke up certain of the political appointments of their opponents. Between the friends of the measures of Congress who were desirous of inaugurating a Territorial Government in the State, and who appear to be few in number, and the more active of their opponents who sustain the President, a warm political feeling may have existed. The commanding officer at Fort Smith,



General Edwards, under date of October 7th, writes: "Union men are just as safe in this State as anywhere else. We have not our proportional part of lawlessness in comparison with other States. There are but few instances of violence being committed on political considerations, and where these have occurred the wrongs have been committed as much by one party as the other." Active efforts were made to induce capitalists and laborers to become citizens of the State, and assurances were given that persons of all shades of political opinions were as safe in person and property within the State as they could be anywhere. Measures were taken to improve and extend the various railroads in operation, as conducive to public prosperity; it is believed that in a few years the State will be traversed by them in every direction.

The public sentiment of the State had become favorably changed with regard to the freedmen, and measures for their education and general improvement were advocated in the most influential quarters. The passage of laws securing to all the equal protection of person and property, was a proposition universally approved. Few, however, could at present be found who would consent to make them full citizens of the State, and as such, entitled to an equality of all rights. It was apprehended that the embarrassments arising in the State from a scarcity of labor would tend to increase in subsequent years, in consequence of the rapid disappearance of the negro.

ARMINIAN CHURCHES. (See EASTERN CHURCHES.)

ARMY OF THE UNITED STATES. By a communication from the War Department, in response to a resolution adopted by the House of Representatives, it was shown that on January 9, 1866, the Army, both regular and volunteer, comprised 152,611 officers and men, organized and distributed as follows:

	Off'rs.	Enlisted men.	Aggr'te.
Troops, volunteer service (white).....	2,264	55,326	57,590
Troops, volunteer service (colored).....	2,393	63,373	65,766
Troops, regular service....	1,124	25,463	26,587
General staff and retired officers, regular Army.....	621	....	621
General and staff officers, volunteer service.....	1,018	....	1,018
1st battalion Veteran Reserve Corps, not attached to companies.....	609	....	609
2d battalion Veteran Reserve Corps.....	12	448	460
Signal Corps.....	16	58	74
Total.....	8,057	144,668	152,725
Deduct officers of the regular army in volunteer service.....	114	....	114
Grand total Army of the U. S., Jan. 9, 1866.....	7,943	144,668	152,611

This force was the residue of the great army of 1,034,064 men in the national service on May 1, 1865. The work of disbanding the volunteer troops remaining in the service was actively continued during 1866, and at the close of the year but 11,043 men, white and colored, of this once famous and popular arm were left. The following table, showing the number of volunteers in the Army at different periods of the year, illustrates the process of reduction:

January 9.....	123,356
January 20.....	115,342
February 15.....	81,612
March 10.....	66,177
May 1.....	47,282
June 30.....	23,394
November 1.....	11,043

Thus, in eighteen months from the cessation of hostilities, 1,023,021 men were disbanded and transported to their homes. Seven-eighths of this force were discharged previous to January 1, 1866, and the whole number could easily have been disposed of within a year of the termination of the war, had it not been deemed necessary to retain a considerable force of volunteers in the service pending the reorganization of the regular army. So soon as the latter shall be placed upon a permanent footing, it is not likely that a single volunteer soldier will be found in the Army.

During the first session of the Thirty-ninth Congress, two important bills were introduced, regulating the military peace establishment of the United States, one of which originated in the Senate, and the other in the House of Representatives. The former, known as Senator Wilson's bill, provided for five regiments of artillery, six of cavalry, and thirty-seven of infantry; the latter, which was drawn up by Mr. Schenck, of the House of Representatives, differed from the former principally in making the infantry force comprise fifty regiments, of which ten were to be formed from the Veteran Reserve Corps. It also aimed at appointing regimental adjutants, quartermasters, and commissaries, and of filling original vacancies in the lower grades of officers, from among those who had been officers or soldiers of the volunteers; favored promotion by seniority in several departments of the Army; and was considered to do injustice to officers of the regular service. The Senate bill passed the body in which it originated early in the session, but made no further progress, the House adhering tenaciously to its own bill. As it was feared that between the rival projects no bill whatever would be passed, which under existing circumstances would have proved detrimental to the interests of the country, Gen. Grant was induced to send the following communication to the Secretary of War, recommending the Senate bill, which, on May 17th, was laid before Congress by the President:

HEADQUARTERS ARMIES OF THE UNITED STATES, }  
WASHINGTON, D. C., May 16, 1866. }  
Hon. E. M. Stanton, Secretary of War: }  
SIR: In view of the long delay, in the lower House



of Congress, in agreeing upon a plan of reorganization of the Army suitable to our present requirements, and the urgent necessity for early action, I am induced to present the matter to you officially, and to ask the attention of Congress to it, believing that when they have the matter fairly before them, they will do what should be done speedily.

At the present time settlements are springing up with unusual rapidity in the district of country between the Missouri River and the Pacific Ocean, where heretofore the Indians were left in undisputed possession. Emigrants are pushing to those settlements and to the gold-fields of the Rocky Mountains by every available highway. The people flocking to those regions are citizens of the United States and entitled to the protection of the Government. They are developing the resources of the country to its great advantage, thus making it our interest as well as our duty to give them military protection. This makes a much greater force west of the Mississippi necessary than was ever heretofore required.

A small military force is required in all the States lately in rebellion, and it cannot be foreseen that this force will not be required for some time to come. It is to be hoped that this force will not be necessary to enforce the laws, either State or national. But the difference of sentiment engendered by the great war which has raged for four years, will make the presence of a military force necessary to give a feeling of security to the people; all classes disposed to obey the laws of the country will feel this alike.

To maintain order, the Government has been compelled to retain volunteers. All white volunteers have become dissatisfied, and claim that the contract with them has been violated, by retaining them after the war was over. By reason of dissatisfaction they are no longer of use, and might as well be discharged at once.

The colored volunteer has equal right to claim his discharge, but as yet he has not done so. How long will existing laws authorize the retention of this force, even if they are content to remain?

The United States Senate passed promptly a bill for the reorganization of the Army which, in my opinion, is as free from objection as any great measure could possibly be, and it would supply the minimum requisite force. It gives but a few thousand additional men over the present organization, but gives a large number of additional batteries and companies. The public service, guarding routes of travel over the plains, and giving protection to the Southern States, demands the occupation of a great number of posts.

For many of them a small company is just as efficient as one with more men in it would be. The bill before Congress, or the one that has passed the Senate, gives increased number of rank and file of each company. It is an exceedingly appropriate measure in this particular, for it provides for the increase when occasion requires more men. The company is the smallest unit of an organization that can be used without materially injuring discipline and efficiency.

The belief that Congress would act promptly on this matter, if their attention were called to it, has induced me to respectfully ask your attention to it. If you agree with me in this matter, I would also ask, if you deem it proper, that this, with such indorsement as you may be pleased to make, be laid before Congress through the Speaker of the House.

Very respectfully, your obedient servant,  
U. S. GRANT, Lieutenant-General.

Finally, at a late hour of the session, a committee of conference was appointed to reconcile the differences between the two bills. The chief struggle was with regard to the number of Veteran Reserve regiments to be incorporated in the army. Mr. Schenck having yielded

this point, the committee agreed upon the Senate bill, with some amendments, which immediately passed both Houses almost unanimously, and on July 28, 1866, became a law. Its main features may be thus recapitulated: The peace establishment of the country will consist of five regiments of artillery, ten of cavalry, and forty-five of infantry. The artillery regiments are to have the same organization as was prescribed by law for the fifth regiment of that arm in 1861. The cavalry regiments are to consist of the six previously in the service, of twelve companies each, with four new regiments, similarly organized, of which two are to be composed of colored men; the original vacancies in the grades of first and second lieutenant to be filled by selection from among the officers and soldiers of volunteer cavalry, and two-thirds of the original vacancies in the higher grades from officers of volunteer cavalry, and one-third from officers of the regular Army, all of whom have served two years in the field during the war, and been distinguished for capacity and good conduct. The President is authorized, at his discretion, to arm and drill any portion of the cavalry force as infantry or dismounted cavalry. The forty-five regiments of infantry are to consist of the first ten regiments, of ten companies each, now in the service; of twenty-seven regiments, of ten companies each, to be formed by adding two companies to each battalion of the remaining nine three-battalion regiments; and of eight new regiments, of ten companies each, four of which are to be composed of colored men, and four to be called the Veteran Reserve Corps. Original vacancies in the grade of first and second lieutenants are to be filled by selection from among the officers and soldiers of volunteers; and of those occurring in the higher grades, half are to be filled from officers of volunteers, and half from officers of the regular Army, all of whom must have served two years during the war, and been distinguished for capacity and good conduct. The Veteran Reserve Corps are to be officered by appointment from officers and soldiers of volunteers or the regular Army, who have been wounded in the service, but are nevertheless competent for garrison or similar duty. All persons receiving appointment in any branch of the service must have previously passed a satisfactory examination before a board of officers, convened under the direction of the Secretary of War, and such appointments are to be without regard to previous rank. Persons who have served in any capacity under the Confederate Government are precluded from holding any office or position in the Army of the United States. The infantry companies are to have a maximum strength of one hundred men, and a minimum strength of fifty men, and the organization, with respect to officers, will be similar to that of the first ten regiments of infantry in the service. The number of bands in the army is reduced to fifteen, to be assigned to brigades in time of war, and in time of peace to



assembled brigades, or to forts or posts at which the largest number of troops shall be ordinarily stationed. Enlistments into the cavalry must be for the term of five years, and into the artillery and infantry for three years, and recruits may be enlisted into the Veteran Reserve Corps from men who have been wounded in the military service of the country, provided they are found to be fitted for garrison or other light duty, to which, when enlisted, they are to be assigned. The general officers of the Army are to comprise one general, one lieutenant-general, five major-generals, and ten brigadier-generals, who are entitled to the same pay, emoluments, and staff as heretofore provided by law.

The military establishment of the country, as reorganized by the act of July 28, 1866, will thus consist of ten regiments, or one hundred and twenty companies, of cavalry, five regiments, or sixty companies, of artillery, and forty-five regiments, or four hundred and fifty companies, of infantry. Should all the companies be filled to their maximum strength of one hundred men, the army would comprise a total of nearly 76,000 men, rank and file, of all arms, who may be thus classed:

Artillery.....	7,000
Cavalry.....	14,000
Infantry.....	55,000
Total.....	76,000

The present strength of companies has been fixed at sixty-four privates for artillery, cavalry, and infantry, and one hundred and twenty-two privates for light batteries of artillery, making an aggregate strength of 54,302 men. From the annual report of the Secretary of War, it appears that at the close of 1866, the two new white regiments of cavalry were recruited, or nearly recruited, and that, of the fifty-four companies required to convert into regiments the single battalions of the nine three-battalion regiments, authorized by the act of 1861, forty-eight had been completed and sent to their regiments. The four Veteran Reserve regiments were on active duty, and measures had been taken to recruit the colored regiments from the colored volunteers still in the service. During the war the volunteer service was so much more popular than the regular Army, that it was found impossible to fill up the ranks of the latter to the extent authorized by law. Soon after the general disbandment of volunteers commenced, in the summer of 1865, recruiting for the regulars became more successful, and since the passage of the act of July 28, 1866, has proceeded so satisfactorily that there seems no reason to doubt that the maximum strength of 54,302 men, now fixed upon, will be reached before the summer of 1867. The whole subject of recruiting for the regular Army, and disbanding volunteers, is by law placed under the supervision of the Adjutant-General's office. By the report of this officer it appears that from October 1, 1865, to October 1, 1866, 36,674 recruits

were enlisted for the regular Army, and that at the latter date its strength was 38,545 men. This is exclusive of one thousand Indian scouts, authorized by the act of July 28, 1866, of whom six hundred have been assigned to Lieut.-General Sherman, for his Division of the Missouri, two hundred to Maj.-General Halleck for the Division of the Pacific, and two hundred to Maj.-General Sheridan for the Department of the Gulf. As soon as the ranks of the Army are well filled, it is intended to place restrictions upon the recruiting service, in order to diminish the number of men received, so that it will correspond to the number required to keep up the strength of the regiments as they become reduced by casualties or other causes. This will be done by raising the standard of qualifications as to height, age, etc., which will at the same time improve the *personnel* of the army.

The following table gives the commanding officers of the new regiments of cavalry, infantry, and Veteran Reserve Corps, so far as appointed at the close of 1866:

No. of Reg't.	Description.	Colonels.
7th..	Cavalry.....	Andrew J. Smith.
8th..	" .....	John I. Gregg.
9th..	" (col'd)....	Edward Hatch.
10th..	" " .....	Benjamin H. Grierson.
11th..	Infantry.....	Wm. S. Ketchum.
12th..	" .....	C. C. Angur.
13th..	" .....	Isaac V. D. Reeve.
14th..	" .....	Charles C. Lovell.
15th..	" .....	Oliver Sheperd.
16th..	" .....	Caleb C. Sibley.
17th..	" .....	S. P. Heintzelman.
18th..	" .....	H. V. Carrington.
19th..	" .....	Samuel K. Dawson.
20th..	" .....	Frederick Steele.
21st..	" .....	George Stoneman.
22d..	" .....	David S. Stanley.
23d..	" .....	Jefferson C. Davis.
24th..	" .....	A. C. Gillem.
25th..	" .....	Gordon Granger.
26th..	" .....	J. J. Reynolds.
27th..	" .....	John E. Smith.
28th..	" .....	Charles H. Smith.
29th..	" .....	O. B. Wilcox.
30th..	" .....	John D. Stevenson.
31st..	" .....	P. R. de Trobriand.
32d..	" .....	Thos. L. Crittenden.
33d..	" .....	Thos. H. Rogers.
34th..	" .....	A. V. Kautz (Lieut.-Col.).
35th..	" .....	Charles Griffin.
36th..	" .....	John Gibbon.
37th..	" .....	George W. Getty.
38th..	" (col'd)....	Wm. B. Hazen.
39th..	" " .....	Joseph A. Mower.
40th..	" " .....	Nelson A. Mills.
41st..	" " .....	Geo. W. Schofield (Major).
42d..	" (Vet. Res.)..	Daniel E. Sickles.
43d..	" " .....	John C. Robinson.
44th..	" " .....	Thos. G. Pitcher.
45th..	" " .....	Wager Swayne.

By General Orders, No. 95, the two additional regiments of cavalry composed of white men, are to be known as the 7th and 8th, and those composed of colored men as the 9th and 10th. The ten regiments of infantry in the service at the commencement of the war retain their old designations. The first battalions of



the nine three-battalion regiments, organized in 1861, retain the designation of the regiments to which they belonged, and under the new organization will be known as the 11th, 12th, 13th, 14th, 15th, 16th, 17th, 18th, and 19th regiments of infantry. The second battalions of the three-battalion regiments become respectively the 20th, 21st, 22d, 23d, 24th, 25th, 26th, 27th, and 28th regiments of infantry; and the third battalions the 29th, 30th, 31st, 32d, 33d, 34th, 35th, 36th, and 37th regiments of infantry. The four regiments to be composed of colored men will be designated the 38th, 39th, 40th, and 41st regiments of infantry. The remaining four regiments will be designated the 42d, 43d, 44th, and 45th regiments of infantry, Veteran Reserve Corps, and will be regarded as a distinct organization, in which promotions will be regulated accordingly.

In the following table will be found a list of the several military departments into which the country has been divided, with the troops assigned to each:

1. The Department of the East, Major-General George G. Meade to command, to embrace the New England States, New York, New Jersey, Pennsylvania, and Fort Delaware. Headquarters at Philadelphia. First regiment of artillery, 10 companies; Third regiment of artillery, 10 companies; Fourth regiment of artillery, 3 companies; Fourth regiment of infantry, 7 companies; Forty-second regiment of infantry, 10 companies.

2. The Department of the Lakes, Brigadier and Brevet Major General Joseph Hooker to command, to embrace the States of Ohio, Michigan, Indiana, Illinois, and Wisconsin. Headquarters at Detroit. Fourth regiment of artillery, 1 light battery; Fourth regiment of infantry, 3 companies; Forty-third regiment of infantry, Veteran Reserves, 10 companies.

3. The Department of Washington, Brigadier and Brevet Major General E. R. S. Canby to command, to embrace the District of Columbia, Alexandria and Fairfax Counties, Virginia, and the States of Maryland and Delaware, except Fort Delaware. Headquarters at Washington. Fifth regiment of cavalry, 3 companies; Fourth regiment of artillery, 7 companies; Twelfth regiment of infantry, 10 companies; Thirtieth regiment of infantry, 10 companies; Fortieth regiment of infantry, recruiting in Washington; Forty-fourth regiment of infantry, Veteran Reserves, 10 companies.

4. The Department of the Potomac, Brigadier and Brevet Major General John M. Schofield to command, to embrace the States of Virginia, except Alexandria and Fairfax Counties, and West Virginia. Headquarters at Richmond. Fifth regiment of cavalry, 1 company; Fifth regiment of artillery, 1 light battery and 4 companies; Eleventh regiment of infantry, 10 companies; Twentieth regiment of infantry, 10 companies; Twenty-first regiment of infantry, 10 companies; Twenty-ninth regiment of infantry, 10 companies.

5. The Department of the South, Major-General Daniel E. Sickles to command, to embrace the States of North and South Carolina. Headquarters at Charleston. Fifth regiment of cavalry, 4 companies; Third regiment of artillery, 1 light battery; Sixth regiment of infantry, 10 companies; Eighth regiment of infantry, 10 companies.

6. The Department of the Tennessee, Major-General George H. Thomas to command, to embrace the States of Kentucky, Tennessee, Georgia, Alabama, and Mississippi. Headquarters at Louisville. Fifth regiment of cavalry, 4 companies; Second regiment of infantry, 10 companies; Fifteenth regiment of infantry, 10 companies; Sixteenth regiment of infantry, 10 companies; Twenty-fourth regiment of infantry, 10 companies; Twenty-fifth regiment of infantry, 10 companies; Thirty-third regiment of infantry, 10 companies; Thirty-fourth regiment of infantry, 10 companies; Forty-fifth regiment of infantry, Veteran Reserves, 10 companies.

7. The Department of the Gulf, Major-General Philip H. Sheridan to command, to embrace the States of Florida, Louisiana, and Texas. Headquarters at New Orleans. Fourth regiment of cavalry, 12 companies; Sixth regiment of cavalry, 12 companies; Ninth regiment of cavalry, 12 companies; First regiment of artillery, 2 light batteries; Fifth regiment of artillery, 6 companies; First regiment of infantry, 10 companies; Seventh regiment of infantry, 10 companies; Seventeenth regiment of infantry, 10 companies; Twenty-sixth regiment of infantry, 10 companies; Thirty-fifth regiment of infantry, 10 companies; Thirty-ninth regiment of infantry, 10 companies; Forty-first regiment of infantry, 10 companies.

8. The Department of the Arkansas, Brigadier and Brevet Major General E. O. C. Ord to command, to embrace the State of Arkansas and Indian Territory west. Headquarters at Little Rock. Fifth regiment of artillery, 1 light battery; Nineteenth regiment of infantry, 10 companies; Twenty-eighth regiment of infantry, 10 companies; Thirty-seventh regiment of infantry, 10 companies.

9. The Department of the Missouri, Major-General Winfield S. Hancock to command, to embrace the States of Missouri and Kansas, and the Territories of Colorado and New Mexico. Headquarters at Fort Leavenworth. Second regiment of cavalry, 2 companies; Third regiment of cavalry, 12 companies; Seventh regiment of cavalry, 12 companies; Fourth regiment of artillery, 1 light battery; Third regiment of infantry, 10 companies; Fifth regiment of infantry, 10 companies; Tenth regiment of cavalry, 12 companies; Thirty-eighth regiment of infantry, 10 companies.

10. The Department of the Platte, Brigadier and Brevet Major General Philip St. George Cooke to command, to embrace the State of Iowa, the Territories of Nebraska and Utah, so much of Dakota as lies west of the



104th meridian, and so much of Montana as lies contiguous to the new road from Fort Laramie to Virginia City, Montana. Headquarters at Omaha. Second regiment of cavalry, 10 companies; Third regiment of artillery, 1 light battery; Thirteenth regiment of infantry, 10 companies; Eighteenth regiment of infantry, 10 companies; Twenty-seventh regiment of infantry, 10 companies; Thirty-sixth regiment of infantry, 10 companies.

11. The Department of Dakota, Brigadier and Brevet Major General A. H. Terry to command, to embrace the State of Minnesota and all the Territories of Dakota and Montana not embraced in the Department of the Platte. Headquarters at Fort Snelling. Tenth regiment of infantry, 10 companies; Twenty-second regiment of infantry, 10 companies; Thirty-first regiment of infantry, 10 companies.

12. The Department of California, Brigadier and Brevet Major General Irvin McDowell to command, to embrace the States of California and Nevada, and the Territory of Arizona. Headquarters at San Francisco. First regiment of cavalry, 8 companies; Eighth regiment of cavalry, 12 companies; Second regiment of artillery, 2 light batteries and 6 companies; Ninth regiment of infantry, 10 companies; Fourteenth regiment of infantry, 10 companies; Thirty-second regiment of infantry, 10 companies.

13. The Department of the Columbia, Major-General Frederick Steele to command, to embrace the State of Oregon and the Territories of Washington and Idaho. Headquarters at Portland. First regiment of cavalry, 4 companies; Second regiment of artillery, 4 companies; Twenty-third regiment of infantry, 10 companies.

The Departments of the Arkansas, the Missouri, the Platte, and Dakota constitute the Military Division of the Missouri, of which Lieutenant-General W. T. Sherman has command, with headquarters at St. Louis, Missouri. The Departments of California and the Columbia, constitute the Military Division of the Pacific, of which Major-General H. W. Halleck has command, with headquarters at San Francisco.

The fifteen military bands provided for by the act of July 28, 1866, have been assigned as follows: West Point, New York; Fort Columbus, New York harbor; Fort Adams, Rhode Island; Richmond, Virginia; Charleston, South Carolina; Louisville, Kentucky; Nashville, Tennessee; Jefferson Barracks, Missouri; Fort Leavenworth, Kansas; Little Rock, Arkansas; New Orleans, Louisiana; San Antonio, Texas; Harbor of San Francisco, California; Fort Vancouver, Washington Territory; Fort Monroe, Va.

The Thirty-ninth Congress passed an act reviving the grade of "General of the Army of the United States," to be filled, by appointment by the President, "from among those officers in the military service of the United States most distinguished for courage, skill, and ability." It was also provided that whenever,

after such appointment, the office should become vacant, the act should cease to be in force. The President nominated for General, Lieutenant-General Grant, and to fill the vacant lieutenant-generalship, Major-General W. T. Sherman. Both nominations were promptly confirmed by the Senate toward the close of the first session.

The principal movements of troops during the year have been in Texas, on the Mexican and Canadian frontiers, and in the Territories. General Grant, in his annual report, states that "it has been deemed necessary to keep a military force in all the lately rebellious States, to insure the execution of law, and to protect life and property against the acts of those who, as yet, will acknowledge no law but force. This class has proved to be much smaller than could have been expected after such a conflict. It has, however, been sufficiently formidable to justify the course which has been pursued." Military movements have also been directed with a view to the protection of emigrants, on their way to the more distant Territories, against attacks by hostile Indians, which have somewhat diminished with the expiration of the rebellion. But with a frontier constantly extending and encroaching upon the hunting-grounds of the Indian, hostilities must frequently occur. To meet these, and to protect the emigrant on his way to the mountain Territories, General Grant reports that troops have been distributed over a wide area of the western frontier. Few places are occupied by more than two, and many by but a single company. During the summer of 1866, inspections were made by Generals Sherman, Pope, Ingalls, Sackett, and Babcock, with a view to determine the proper places to occupy for the protection of travel and settlements, and the most economical method of furnishing supplies. In the course of 1867 permanent buildings will have to be erected on these sites.

The total estimate of the Secretary of War for military appropriations for the fiscal year ending June 30, 1868, is \$25,205,669.60, which is less by \$8,608,792.23 than the appropriation required for the previous year.

The disbursements of the Paymaster-General during the fiscal year ending June 30, 1866, were \$259,374,317, of which \$248,943,313 were paid to disbanded volunteers, and \$10,431,004 to the Army and the Military Academy. In back and extra pay and in bounties the Department disbursed \$7,662,736, and on Treasury certificates for arrears to dead soldiers, etc., \$16,189,247. Among the charges entailed upon the Department were those growing out of an act passed by the Thirty-ninth Congress, giving three months' pay proper to all officers of volunteers who were in the service on March 3, 1865, and whose resignations were presented and accepted, or who were mustered out at their own request, or otherwise honorably discharged from the service after April 9, 1865. The pay proper of a colonel of infantry is \$95, of a



lieutenant-colonel \$80, major \$70, captain \$60, first lieutenant \$50, second lieutenant \$45 per month. The financial summary of the pay department exhibits—

A balance on hand at the beginning of the fiscal year.....	\$120,107,999	32
Received from Treasury and other sources during the year.....	163,426,228	97
Total.....	\$283,533,228	29

Accounted for as follows:

Disbursements to Army and Military Academy.....	\$10,431,004	42
Disbursements to volunteers.....	248,943,313	36
Unissued requisitions in Treasury.....	10,750,000	00
In hands of paymasters, June 30.....	13,408,910	51
	\$283,533,228	29

The total disbursements of each class during the fiscal year are as follows:

To troops on muster out.....	\$205,272,324	00
To troops in service.....	30,250,010	00
To referred claims.....	7,662,736	00
To payment of Treasury certificates.....	16,189,247	00
Total.....	\$259,374,317	00

The estimated appropriations of the pay department amount to \$17,728,560 for pay of the Army for the next fiscal year.

Early in the first session of the last Congress a bill was introduced to pay a bounty to the volunteers of 1861 and 1862 equal to the highest bounty paid to the volunteers of 1863 and 1864, equalizing the bounty according to the time of service; to pay three-months men a bounty of \$100, deducting from said bounty any sum heretofore paid; and to pay \$33.33 to the one-year men, to complete the payment of the \$100 promised them. As the sum required for this equalization of bounties would, at a moderate computation, considerably exceed \$200,000,000, which, in the then embarrassed financial condition of the country, could be ill-spared from the national Treasury, the project was strenuously opposed, and failed to become a law in the shape in which it was originally proposed. Its friends succeeded, however, in engrafting it, in a very modified form, upon the Civil Appropriation Bill, in which connection it was passed by Congress on the last day of the session. The sections of the bill relating to bounties enact that every soldier who enlisted after the 19th of April, 1861, for a period not less than three years, and who, after having served his time of enlistment, has been honorably discharged, and who has received, or is entitled to receive, from the United States, under existing laws, a bounty of one hundred dollars, and no more; and every such soldier honorably discharged on account of wounds, and the widow, minor children, or parents of such soldiers who died in service, or from disease or wounds contracted in the service in the line of duty, shall be paid an additional bounty of one hundred dollars. The soldiers who enlisted

for two years, and who are entitled to a Government bounty of fifty dollars, under existing laws, are to get, under the like conditions, an additional bounty of fifty dollars. Although doubts were entertained whether, in consequence of defective wording of these sections, the legislation respecting the equalization of bounties was not inoperative, a board of officers was appointed by the War Department to prepare rules and regulations for the payment of the authorized bounties. But up to October 20, 1866, no payments of the extra bounty had been made. The Paymaster-General says that the muster and pay rolls, "already much worn and defaced, would be reduced to illegible shreds before a tithe of the cases arising under this law could be disposed of, if taken up separately." It is therefore proposed to classify the claims filed, by regiments and battalions. This plan, though imposing delay at the outset, will prove in the end the quickest and best. The payment, however, will not begin till the six months' limitation has passed. The disbursements will amount to nearly \$80,000,000, about a third of the sum contemplated by the original bill, and will be divided among upward of a million persons. To the same board the subject of bounties to colored soldiers was also referred, with a view to provide additional checks against the demands of fraudulent assignees, to secure the bounty to the rightful claimants, and to protect the Treasury against frauds.

The grand aggregate of individuals on the pension-rolls of the United States was, on June 30, 1866, 126,722, of whom 123,577 were army invalids or their widows or other representatives. Nearly ninety per cent. of this number, comprising all classes of pensioners, have arisen out of the late war. The remainder now on the rolls, but rapidly dropping away, are from the War of 1812, the Mexican War, and the various Indian wars. But one Revolutionary pensioner now remains, Samuel Downing, of Edinburgh, Saratoga County, N. Y., who was a native of, and enlisted from New Hampshire, and is now over a hundred years old. There are, however, still on the pension-rolls 931 widows of revolutionary soldiers, of whom only two were married previous to the termination of the War of Independence. The aggregate of annual pension money due for the fiscal year ending June 30, 1866, was \$11,674,474.13. The Commissioner of Pensions says: "In view of the large number of applications which continues to be received, on account of casualties in the late war, it is manifest that the aggregate annual amount of pensions will continue to swell for some years to come." He also says that the \$11,674,474.31 requisite to pay the 126,722 now on the rolls will, for the fiscal year, ending June 30, 1867, be increased to a sum exceeding \$33,000,000. This is owing partly to the law of last session increasing the rate of pension. The estimated amount requisite to pay pensions the next fiscal year is more



than one-third of the entire sum paid for pensions from the beginning of the Government up to the fiscal year ending after the war began, which was \$90,668,521.06. In that fiscal year the amount was \$790,384.76. The number of bounty land warrants issued from time to time amounts to hundreds of thousands in number; but counting them at \$1.25 per acre, the entire quantity of land so granted, the commissioner says, does not exceed \$83,000,000.

By the act of July 28, 1866, the Bureau of Military Justice is made to consist of one judge-advocate-general and one assistant judge-advocate-general, with ten judge-advocates, to be selected from among those in office when the act was passed, and to discharge their appropriate duties until the Secretary of War shall decide that their services can be dispensed with. During the past year 8,148 records of courts-martial and military commissions were received, reviewed, and filed in this bureau, and 4,008 special reports made as to the regularity of judicial proceedings, the pardon of military offenders, etc., including letters of instruction upon military law and practice to judge-advocates and reviewing officers. The business of the bureau, which reached its minimum about the time of the adoption of the new Army act, has since very much increased. "The fact," says the Secretary of War, "that, in a large number of important cases commanders of departments and armies are not authorized to execute sentences in time of peace, and that such cases can no longer be summarily disposed of without a reference to the Executive, will also require from the bureau a very considerable number of reports which heretofore have not been called for. Its aggregate will, it is thought, not be reduced in proportion to the reduction of the military force." The new Army act provided for the discontinuance of the Provost-Marshal-General's Bureau on August 28, 1866. The records of its offices in the various States are to be transferred to the Adjutant-General's office in Washington, to which, also, the settlement of the undetermined questions and unfinished business pertaining to the bureau has been referred. From various causes arising out of the unsettled state of the Army, there was a large number of desertions at the close of the war. To check this evil, recruiting officers were instructed to apprehend and send to military posts for trial all deserters who could be found in the vicinity of their stations, and lists were sent from companies, with a description of deserters, to facilitate their arrest. The number apprehended under this system from February 1, 1866, to October 1, 1866, is 1,029. As an inducement to return to their duty, the President published an offer of pardon to all who would report themselves at a military post by the 15th of August, 1866. Three hundred and fourteen availed themselves of this act of clemency.

Under the new Army organization the quar-

termaster's department of the Army consists of one quartermaster-general, six assistant quartermasters-general, ten deputy quartermasters-general, fifteen quartermasters, and forty-four assistant-quartermasters. The duties formerly devolving upon this department have been so much curtailed since the conclusion of the war, that no further appropriations for its support are needed for the next fiscal year, the balances now available and the sums received and to be received from the sale of material being deemed sufficient. Among the items realized by the sale of material since May, 1865, may be enumerated the following:

Horses and mules.....	\$15,269,075
Barracks, hospitals, and other buildings..	447,873
Clothing .....	902,770
Transports, steamers, and barges.....	1,152,895
Railroad equipment, cash sales.....	3,466,739
"                    "                    credit sales.....	7,444,073

No change has been made by the act of July 28, 1866, in the organization of the subsistence department of the Army. A joint resolution of July 25, 1866, made it the duty of this department to pay commutation of rations to those United States soldiers who had been held as prisoners of war. The total amount disbursed by the department during the last fiscal year was \$7,518,872.54, and the amount disbursed during the fiscal years of the war was:

From July 1, 1861, to June 30, 1862..	\$48,799,521 14
From July 1, 1862, to June 30, 1863..	69,537,582 78
From July 1, 1863, to June 30, 1864..	98,666,918 50
From July 1, 1864, to June 30, 1865..	144,782,969 41
From July 1, 1865, to June 30, 1866..	7,518,872 54

Total amount.....\$369,305,864 37

From available balances and sums received from the sale of subsistence stores, the department is amply provided for the fiscal year, ending June 30, 1867, and will need no further appropriation.

The medical department under the new Army organization consists of one surgeon-general, one assistant surgeon-general, one chief medical purveyor, and four assistant medical purveyors, sixty surgeons, one hundred and fifty assistant surgeons, and five medical storekeepers. The funds at the disposal of the department during the fiscal year, ending June 30, 1866, were \$5,386,064.24, of which \$1,161,181.24 were the balance of unexpended appropriations for the preceding year, and \$4,044,261.59 were derived from the sale of old or surplus medical and hospital property, leaving a balance in the treasury for the next fiscal year of \$2,546,457.14. The reduction of the Army has enabled the department to dispense with the system of general hospitals, hospital transports and trains, ambulance corps, and also a number of purveying depots. There were, at the close of the year, one hundred and eighty-seven post hospitals in operation, with a capacity of ten thousand eight hundred and eighty-one beds. The contraction of the business of the department is forcibly illustrated by the fact that of 64,438 patients



remaining in general hospitals, June 30, 1865, and admitted during the year following, on the 30th of June, 1866, only ninety-seven remained under treatment. One hundred and seventeen surgeons and assistant surgeons of volunteers, and 1,733 acting assistant surgeons, have been mustered out during the year, and but 264 of the latter grade remained in July last; a corresponding diminution has been made of hospital stewards. Of the 98 applicants for positions in the army medical staff in September, 1865, only 19 passed.

An important part of the business of the year has been the selection and distribution of artificial limbs for maimed soldiers. Twenty-three models have been approved, and 6,410 limbs, of all kinds, have been given out. About one thousand are still to be supplied. In consequence of many instances of fraud, it is recommended that hereafter the applicant shall receive the established money value of the limb instead of, as at present, an order upon the manufacturer. During the past year the Government has paid great attention to soldiers' graves and cemeteries. The former have been carefully tended, and the occupant's name and rank put at the head of each grave as well as on the records of the cemetery. At first this was done on wooden head-boards; but Government, with a view to make the head-boards more lasting, has recently ordered them to be constructed of iron. Forty-one national military cemeteries have been established, and into these had already been gathered, on June 30, 1866, the remains of 104,526 Union soldiers. The sites for ten additional cemeteries have been selected, and the work upon them is now in course of vigorous prosecution. It is estimated that the national cemeteries will be required to receive the remains of 249,397 soldiers. The average cost of the removals and reinterments already accomplished is reported at \$9.75, amounting in the aggregate to \$1,144,791, and an additional expenditure of \$1,609,294 will probably be needed. The alphabetical registers of the dead filed in the office of the Medical Department contain the names of 250,000 white soldiers, and 20,000 colored soldiers.

The sanitary measures taken by the Medical Department in 1866 in anticipation of the cholera becoming epidemic in the United States, including a rigid military quarantine on the Southern Atlantic coast, proved exceedingly timely and beneficial, and the general health of the army was excellent. The average mean strength of the white soldiers for the year was 100,133, and the proportion of deaths from all causes to that of cases treated was one to every 52; the average mean strength of colored troops for the year was 53,541, and among them the proportion of cases taken sick was greater than with the white troops, and the deaths one in 29 of the cases treated. This result would seem to indicate a greater power of resistance to disease in white than in colored troops, though the data may not be sufficient to justify a gen-

eral conclusion on the subject. The casualties in the regular and volunteer medical staff during the war, number 336; of these, 29 were killed in battle; 12 by accident; 10 died of wounds; 4 in Confederate prisons; 7 of yellow fever; 3 of cholera; 271 of other diseases. During the war, also, 35 medical officers were wounded in battle.

The Surgeon-General announces in his annual report that the first volume of the "Medical and Surgical History of the War" is nearly ready for publication. In connection with this work is a large and valuable pathological museum, which is to be classified and suitably arranged in a building in Washington specially appropriated for its reception.

Under the new organization the Engineer Corps consists of one chief of engineers, six colonels, twelve lieutenant-colonels, twenty-four majors, thirty captains, and twenty-six first and ten second lieutenants; and the five companies of engineer soldiers previously prescribed by law now constitute a battalion, officered by officers of suitable rank detailed from the corps of engineers. The greater part of the corps during the last year were engaged in the supervision of the defensive works in progress throughout the country, the remainder being employed on detached duty, as commanders of departments, staff officers, etc. At Willett's Point, N. Y., and Jefferson Barracks, Mo., two principal depots of engineer supplies have been established, where the most valuable material remaining over from the war has been collected for future emergencies.

The new Army bill makes no change in the number of officers and enlisted men in the Ordnance Department. The officers are one brigadier-general, three colonels, four lieutenant-colonels, ten majors, twenty captains, sixteen first and ten second lieutenants, besides thirteen ordnance storekeepers. The operations of the department at arsenals are now limited to the construction of wrought-iron sea-coast gun-carriages, and such ordnance supplies as are needed for immediate use; the preservation of serviceable stores left on hand at the close of the war, and the completion of new buildings. Fire-proof workshops have been completed at Watervliet, Frankfort, and Alleghany Arsenals, and powder magazines at St. Louis, Washington, and Benicia, and others are to be commenced in the spring of 1867. All the Southern arsenals have been reoccupied by the department, except the Harper's Ferry armory, and the arsenals in North Carolina, Florida, and Arkansas. The Chief of Ordnance is of the opinion that it is not advisable to rebuild the armory at Harper's Ferry or the North Carolina arsenal, both of which were destroyed by fire, and the sale of both is recommended. The construction of the armory at Rock Island, Ill., is to be commenced as soon as good titles to the property have been acquired. From January 1, 1861, to June 30, 1866, the Ordnance Department provided 7,892 cannon, 11,787 artillery carriages, 4,022,130 small-arms, 2,362,546



complete sets of accoutrements for infantry and cavalry, 539,544 complete sets of cavalry-horse equipments, 28,164 sets of horse-artillery harness, 1,022,176,474 cartridges for small-arms, 1,220,555,435 percussion caps, 2,862,177 rounds of fixed artillery ammunition, 14,507,682 cannon primers and fuses, 12,875,294 pounds of artillery projectiles, 26,440,954 pounds of gunpowder, 6,395,152 pounds of nitre, and 90,416,295 pounds of lead. In addition to these, there were immense quantities of parts provided for repairing and making good articles damaged, lost, or destroyed in the service. The fiscal resources of the Ordnance Bureau for the year amounted to \$35,301,062.56, and the expenditures to \$16,551,677.58, leaving a balance of \$18,749,385.18, of which \$18,043,804.28 were undrawn balances in the Treasury, and \$705,580.90 were to the credit of disbursing officers in the Government depositories on June 30, 1866. The estimated appropriation required by the Ordnance Office, including only such objects as require early attention, is \$1,593,242.

The experience acquired in the late war with respect to the most available pattern of small-arms, applicable for general use in the Army, was wholly in favor of breech-loading arms, as opposed to the old muzzle-loaders; and early in 1866 a board of officers was appointed to examine the following questions, and make recommendations thereon:

1. What form and calibre of breech-loading arm should be adopted as a model for future construction of muskets for infantry?
2. What form and calibre should be adopted as a model for future construction of carbines for cavalry?
3. What form of breech-loading arm should be adopted as a model for changes of muskets already constructed to breech-loading muskets?

The board met on March 10th, and, during the next two months and a half, carefully tested over sixty different rifles and muskets, no one of which, it was decided, ought to be recommended for adoption by the Government. This conclusion was arrived at chiefly in view of the large number of excellent muzzle-loading muskets already in store, and of the comparatively slight changes necessary to transform these into effective breech-loaders. The plan of alteration submitted by Colonel H. Berdan was therefore recommended. This gives the stable breech-pin, secures the piece against premature discharge, and involves only a slight change of our present pattern of arms. The change of machinery necessary to make new arms on this plan is also so slight, that the board is of opinion that there can be no justification of an entire change of model, and the great expense thereby entailed, until some further improvement shall be devised, producing more decided advantages than any of the arms yet presented. They also find that the 45-inch-calibre ball has given the best results as to accuracy, penetration, and range, and recommend that all rifle-muskets and single-loading carbines used in military service, be fitted for the same cartridge.

The board is disposed to arm the cavalry with the magazine carbine; but as this arm is doubtless capable of further improvements, delay is recommended in adopting definitively any pattern for future construction. Should new carbines be previously needed, it is recommended that the Spencer carbine be used. General Dyer, Chief of Ordnance, through whom the report of the board was directed to be made, objected to the use of the 45-inch-calibre balls, on the ground that they had not been proved superior to those of 50-inch calibre, and that the Army is already furnished with a large number of the latter. He also recommended that the different plans for the alteration of the Springfield musket should first be tried in the hands of troops. In forwarding the report to the War Department, General Grant indorsed his first recommendation, but not his second. The conversion of the old Springfield muskets into breech-loaders, proposed by the board, was approved by the Department, and orders were at once given for the preparation of the necessary machinery. The work proceeded so rapidly, that at the close of the year enough breech-loaders were on hand to supply the cavalry and mounted and light infantry. As an offensive arm, this altered musket is much better in all respects than the much-vaunted Prussian needle-gun, whose achievements have inaugurated so remarkable a change in modern warfare. In the Springfield armory two sets of workmen, alternating day and night, as during the war, are now employed in altering the old muskets to breech-loaders.

During 1866, the power and endurance of the 8-inch and 12-inch cast-iron rifle-cannon have also been subjected to practical tests, and the experiments will be continued. The ordnance returns for three consecutive years, including a period of active service and ordinary repairs, show an average duration of five years for cavalry carbines, of four years for cavalry pistols, sabres, and accoutrements, of seven years for infantry muskets, and of six years for infantry accoutrements.

During the last five years considerable changes have been made and are still making in the armament of the permanent defensive works of the country, by substituting cannon of larger calibre and wrought-iron carriages for the lighter guns and wooden gun-carriages formerly in use. Construction has been suspended upon some of the unfinished works, pending the completion of experiments having in view the use of iron shields or armor for the protection of guns and gunners.

Finally, in view of any possible emergency, the Secretary of War reports that the "stock of clothing, equipage, quartermaster, subsistence, hospital, and ordnance stores, arms, ammunition, and field artillery is sufficient for the immediate equipment of large armies. The disbanded troops stand ready to respond to the national call, and, with our vast means of transportation and rapid organization developed dur-



ing the war, they can be organized, armed, equipped, and concentrated at whatever point military emergency may require. While, therefore, the war expenses have been reduced to the footing of a moderate and economical peace establishment, the national military strength remains unimpaired and in condition to be promptly put forth."

The Military Academy at West Point is now separated from the Engineer Corps, of which it formerly constituted a part. The standard of qualifications for admission has been raised, and appointments to cadetships must hereafter be made a year previous to the date of admission. The report of the Board of Visitors for 1866 shows that the examinations have been creditably conducted, and that the discipline of the Academy is good. The board recommend that the number of cadets be increased from two hundred and ninety-two to four hundred; that the cadets, on graduation, be required to serve at least two years in regiments of the line before entering the Engineer or other staff corps of the Army; and that the standard of qualification be raised by some form of competitive examination. At the last examination the corps of cadets numbered 228, and a class of 40 was graduated.

The act of July 28, 1866, authorized the President, "for the purpose of promoting knowledge of military science among the young men of the United States," to detail officers of experience to act as professors in institutions of learning having upward of 150 male students. It does not appear from the Secretary of War's report that application has yet been made by any college or university for the services of such officers. Provision is also made in the act of July 28th for the instruction of enlisted men at any post, garrison, or permanent camp, in the common English branches of education, and especially in the history of the United States. Another section directs that "a code of regulations for the government of the Army, and of the militia in actual service, which shall embrace all necessary orders and forms of a general character for the performance of all duties incumbent upon officers and men in the military service, including rules for the government of courts-martial," shall be prepared and presented to the Thirty-ninth Congress at its second session.

By direction of the Secretary of War, a board of officers, consisting of Brevet Colonel H. B. Clitz, 6th U. S. Infantry; Brevet Major-General R. B. Ayres, 28th U. S. Infantry; Brevet Colonel H. M. Blach, 7th U. S. Infantry; Captain J. J. Van Horn, 8th U. S. Infantry, Recorder, was assembled at West Point, N. Y., on the 25th of June, for the purpose of recommending such changes in authorized infantry tactics as shall make them simple and complete, or the adoption of any new system that may be presented to it, if such change be deemed advisable.

The board was to examine and report on

any system of infantry tactics that might be presented to it, and the superintendent of the Military Academy was to give it facilities for testing with the battalion of cadets the value of any system. Besides the system of General Casey, necessarily before the board, two others were presented: one by Brigadier-General Wm. H. Morris, late U. S. Volunteers; the other by Brevet Major-General Emory Upton, U. S. Army. The system prepared by General Upton is entirely new, and substitutes wheeling by fours for the facings of other tactics. Among the features that distinguish it from all other systems are, that it simplifies all the movements, and requires less instruction on the part of enlisted men; that it ignores inversions, gives greatly increased mobility to large bodies of troops, doubles the number of ways of passing troops from the order in column to the order in battle, and presents always the front rank in front; that it is equally adapted to wooded and open country; that it presents a new formation for infantry in single rank—a formation eminently adapted to the intelligence of the American soldier, and to breech-loading fire-arms, fast being introduced into all armies; that it enables a skirmish line to be promptly doubled, either for offensive or defensive purposes. The system embraces complete instruction for the soldier, skirmishers, battalion, brigade, division, and corps, and is in one volume, containing about one-half the number of pages in the three volumes of the present system.

General Casey's, or the authorized system, which was before the board, is based upon the French tactics, or is almost literally a copy of them. A modification of this was offered by General Morris; but they reported favorably upon the above system of General Upton, and, by the order of the President, it has become the authorized tactics for the Army and the militia.

ASIA. The progress of the Russians in Central Asia continued without interruption, and another important tract of land in Independent Toorkistan, with the large cities of Tashkend and Khojend, was annexed. The detailed accounts of the Russian operations widely differed, as they were received either from Russian or British sources, but the annexation of the above two cities, with a large territory, seems to be the permanent result of the year 1866. The tribes of Central Asia were again reported to have invoked British aid against Russia. (*See RUSSIA.*)

In China, rebel movements disturbed the peace of the empire throughout the whole year, and in the latter months the Mohammedan rebels were reported to be in possession of the whole province of Kansuh. Piracy in the Chinese waters continued to make the greatest ravages upon commercial vessels, and the joint operations of the Chinese and British fleets were unable to subdue it. The relations of China to foreign powers remained friendly, and a new port was opened in the northern part of the



empire. In the Corea, a dependency of China, two French bishops and seven priests were massacred—an outrage which led to a French expedition against that country. The Chinese Government repudiated all responsibility for the action of the Coreans, and made no objection to the French expedition. (See CHINA and COREA.)

The relation of Japan to foreigners becomes more and more friendly. The treaties concluded with the chief foreign nations remained in force, and further provisions in favor of foreign commerce were secured by a new treaty concluded between American, English, French, Dutch, and Japanese plenipotentiaries on June 25th. A civil war broke out between the Tycoon and one of the princes, before the termination of which the Tycoon died. (See JAPAN.)

British India remained free from disturbances, the difficulty with Bhootan being fully settled in February. But the country suffered from a terrible famine, which carried off a very large number of people. On the western border of India civil broils continued in Afghanistan throughout the year, and in Farther India a revolution broke out in Burmah, which, however, was unsuccessful. (See INDIA and BURMAH.)

The "Geographical Year-book" of Dr. Brehm for 1866 (*Geographisches Jahrbuch*, Gotha, 1866, pp. 53 to 70) gives the following statements on the area and population of the several territories of Asia:

	Geog. sq. Miles.*	Inhabitants.
Russian Dominions.....	273,381	9,327,966
Turkish Dominions.....	31,608	16,050,000
Arabia.....	48,260	4,000,000
Persia.....	26,450	5,000,000
Afghanistan and Herat.....	12,160	4,000,000
Beloochistan.....	7,800	2,000,000
Toorkistan.....	30,124	7,870,000
China and dependencies.....	147,447	477,500,000
Japan.....	7,027	35,000,000
India (incl. of British dominions in Farther India).....	73,573	187,694,323
Ceylon.....	1,662	1,919,487
Farther India.....	35,324	21,109,000
East India Islands.....	37,598	27,164,728
Total of Asia.....	732,414	798,635,504

**ASTRONOMICAL PHENOMENA AND PROGRESS.** The march of astronomical discovery during the year 1866 has not lagged behind that of the other great departments of science. To chemistry, astronomy is especially indebted; for there is scarcely a discovery made in the domain of the former science which does not, or may not, contribute to the solution of some of the enigmas which still abound in the latter. The spectrum analysis, the original function of which was to determine the presence or absence of the earthy elements in the chemist's laboratory, is now the familiar guest of the astronomer in his watchings through the night, and discloses to him what all his

improved telescopes had hitherto not availed to show, the constitution of the sun, and the stars, and the comets, and enables him even to hazard a guess at the material nature of the far-away nebulae. The application of this new and powerful instrument to astronomical investigation has given rise to many brilliant speculations, which may have to be discarded hereafter, but it has also added many facts to our knowledge of the heavenly bodies. Just in proportion as the spectrum apparatus is improved from year to year—and there can be no doubt that improvements will continue to be made indefinitely in a field of inquiry so practical—the burden of mystery which rests upon astronomy will be lifted; and so we may go on from one discovery to another, until the splendid thought uttered by Mr. Grove, in his address at the last annual meeting of the British Association, may be realized. He said: "We, this evening assembled, ephemera that we are, have learned by transmitted labor, to weigh as in a balance other worlds larger and heavier than our own, to know the length of their days and years, to measure their enormous distance from us and from each other, to detect and accurately ascertain the influence they have on the movements of our world and on each other, and to discover the substances of which they are composed. May we not fairly hope that similar methods of research to those which have taught us so much, may give our race further information, until problems relating not only to remote worlds, but possibly to organic and sentient beings which may inhabit them; problems, which it might now seem wildly visionary to enunciate, may be solved by progressive improvements in the modes of applying observation and experiment, induction and deduction?"

The public interest in astronomy has been more than usually stimulated this year by the occurrence of two wonderful phenomena: the sudden apparition and disappearance of a star, perhaps not inferior in size and splendor to our own sun; and the great meteoric shower of November (see METEORS). Events of this kind have a favorable effect upon the science of astronomy, because they tend to popularize it, and to make the great body of the people more willing to contribute the necessary funds for the erection and support of first-class astronomical observatories. It is not improbable that, before many years, every important city in the Union will have an observatory equal to that recently established by the liberality of the citizens of Chicago.

*The Temporary or Variable Star in Corona.*—The most remarkable astronomical event of the year was the appearance of a temporary or variable star in the constellation of the Crown, less than a degree distant from  $\epsilon$  Coronæ in a S. E. direction. It was seen at the Washington Observatory on the night of May 12th, when its size was that of a star of the 2d magnitude. Its lustre was a pure soft white. On the fol-

\* One geographical square mile equal to 21.21 English square miles.



lowing night it had apparently sunk from the 2d to the 3d magnitude. On the night of the 14th of May it was studied at the Cambridge Observatory, and was then reported to be of about the 3d magnitude. By the 19th its brilliancy had decreased by nearly two magnitudes, and it was then very near the limit of visibility to the naked eye. On the 20th it was no longer perceptible to the unaided vision, but could easily be seen through an opera-glass. The star had dwindled to the 9th magnitude by the 9th of June. The following was the table of magnitudes as estimated by Mr. B. A. Gould, of Cambridge (*American Journal of Science*, xlii., 124):

DATE.	Time of Obs'n.	Mag.
May 14.....	11 h.	2.9
May 15.....	9	3.5
May 19.....	9	5.8
May 19.....	13	5.9
May 20.....	9½	6.3
May 24.....	9½	7.8
May 28.....	10	8.9
May 31.....	10	8.9
June 9.....	10	9.0

One observer in Philadelphia says that he saw on the 23d of September, 1865, a brilliant star in Corona, not laid down in the maps. It was reported to have been seen in London, Canada West, about May 1st, when its brilliancy was about equal to that of  $\epsilon$  Coronæ, or between the 3d and 4th degrees of magnitude. It was seen in Ireland and England on the 12th of May, and in France on the 13th. The descriptions of the star given by all the foreign observers at that time agree with those of the various observers in this country. On the 16th of May it was observed and subjected to the spectrum analysis by William Huggins, F. R. S., and W. A. Miller, Prof. of Chemistry in King's College, London, whose applications of that new power to the solution of some astronomical problems have been among the most valuable scientific results of the year. At that time the magnitude of the new star was below the 3d. In the telescope it appeared to be enveloped in a faint nebulous haze, which extended to a considerable distance and faded away at the boundary. A comparative examination of neighboring stars showed that nebularity really existed about it. Its spectrum was unlike that of any other celestial body thus far examined. The light was compound, and had apparently emanated from two sources. The principal spectrum was analogous to that of the sun, evidently formed by the light of an incandescent solid or liquid photosphere, which has suffered absorption by vapors of an envelope cooler than itself. The second spectrum consisted of a few bright lines, indicating that the light by which it was formed was emitted by matter in the state of luminous gas. To the eye the star appeared nearly white; but as it flickered there was seen an occasional preponderance of yellow or blue. The lines of the second spectrum indicated that

the gas consisted chiefly of hydrogen. Observations were also taken on several successive evenings, during which the continuous spectrum diminished in brightness more rapidly than the gaseous spectrum. Messrs. Huggins and Miller suggest, as their explanation of these brilliant phenomena, that, in consequence of some vast convulsion, larger quantities of gas were evolved from the star, that the hydrogen present was burning in combination with some other elements, and that the flaming gas had heated to vivid incandescence the solid matter of the photosphere. As the hydrogen was consumed, the phenomena would diminish in intensity and the star rapidly wane. The results of the observations of Messrs. Huggins and Miller were confirmed by those of Messrs. Stone and Carpenter, at the Royal Observatory, on the night of May 19th.

Humboldt, in his "Cosmos," gives the following list of temporary stars, which are recorded in history, with variable degrees of certainty as to items:

134	B. C., in Scorpio.
123	A. D., in Ophiuchus.
173	" in Centauron.
369	"
386	" in Sagittarius.
389	" in Aquilla.
393	" in Scorpio.
827	" in Scorpio.
945	" between Cepheus and Cassiopeia.
1012	" in Aries.
1203	" in Scorpio.
1230	" in Ophiuchus.
1264	" between Cepheus and Cassiopeia.
1572	" in Cassiopeia.
1578	"
1584	" in Scorpio.
1600	" in Cygnus.
1604	" in Ophiuchus.
1609	"
1670	" in Vulpes.
1848	" in Ophiuchus.

The majority of these stars shone with great splendor when first seen. Only three of the known variable stars, according to Humboldt, have been less than the 1st magnitude at the height of their brilliancy. The star of 389 A. D. was for three weeks as bright as Venus, and then rapidly disappeared from view. That of 1572 was seen at mid-day on November 11th, and no longer visible in the following March. It was as bright as Sirius, and reached the lustre of Jupiter. The star of October, 1604, also exhibited great splendor. The stars of 393, 827, 1203, and 1609, are considered one and the same; and a reappearance is predicted in 2014-'5. The periods of visibility of these stars differ greatly. That of 389 was three weeks; of 827 four months; and of 1012 three months. Tycho Brahe's star in Cassiopeia (1572) shone for 17 months. Kepler's star in Cygnus was visible 21 years before it totally disappeared. It was seen again (as a star in the same position) in 1655, and was then of the 3d magnitude.

The star of 1866 appears to be identified with No. 2,765 of Argelander's zone + 26° marked



by Argelander as of 9.5 mag. In Wollaston's catalogue (1790) an object is noted upon a place which, reduced to 1866, accords with that of the variable. There is also a nebula marked on Cary's globe, which is near the spot occupied by the new star. This nebula is not on Herschel's catalogue. Sir J. Herschel, on the 9th of June, 1842, marked as visible to the naked eye a star whose place agrees so nearly with that assigned to the new variable, that he cannot help believing it to be the same.

These splendid phenomena have occurred so rarely since the time when scientific apparatus and methods were introduced into astronomical observation, that but little is known of them. The spectrum analysis, this year, has probably thrown more light upon the mystery than all previous investigations.

*Eccentricity of the Earth's Orbit, and its Relations to Glacial Epochs.*—Mr. James Croll has elaborated an ingenious theory in explanation of the glacial epoch, evidences of which abound on the earth's surface. The theory was originally propounded by Sir John Herschel more than 30 years ago, and may briefly be stated as follows: The mean distance of the earth from the sun being nearly invariable, it would at first be supposed that the mean annual supply of light and heat would also be invariable. Calculations show, however, that this mean annual supply would be inversely proportional to the minor axes of the orbit. This would give less heat when the eccentricity of the earth's orbit is approaching toward, or is at its minimum. Mr. Croll offers reasons for believing that the climate, at least in the circum-polar and temperate zones, would depend on whether the winter of a given region occurred when the earth, at its period of greatest eccentricity, was in aphelion or perihelion. If in its aphelion, then the annual average of temperature would be lower; if in its perihelion, the annual average of temperature would be higher than when the eccentricity was less, or approached more nearly to a circle. He then calculates the difference in the amount of heat at the period of maximum eccentricity to be as 19 to 26, according as winter would take place when the earth was in its aphelion or perihelion. The mean annual heat may be assumed to be the same, whatever the eccentricity of the orbit, and yet if the extremes of heat and cold in winter and summer be greater, a colder climate will prevail; for there will be more ice accumulated in the cold winters than the hot summers can melt. This result will be produced by the vapor (aided by shelter from the rays of the sun) suspended in consequence of aqueous evaporation. Hence glacial periods occurred, when the orbit of the earth was at its greatest eccentricity, on those parts of the earth's surface where it was winter when the earth was in its aphelion; carboniferous or hot periods occurred where it was winter when the earth was in its perihelion; and temperate periods when the eccentricity of the earth's orbit

was at a minimum. All these gradually slide into each other, producing at long-distant periods alternations of cold and heat, some of which are actually observed in geological records.

Mr. Croll has calculated values of the eccentricity, and longitudes of the perihelion, at intervals of 50,000 years for 1,000,000 years past and 1,000,000 years to come, for the purpose of arriving at some better knowledge of these secular changes of climate, proved to result from eccentricity. He has determined the values at epochs of 50,000 years because the eccentricity changes so slowly that it is not necessary to calculate them at shorter intervals. From these the opinion is deduced that the glacial epoch of the geologists began about 240,000 years ago, and extended down to about 80,000 years ago; that the time of the greatest cold was 200,000 to 210,000 years ago; that the next preceding glacial epoch was about 750,000 years ago, still another 950,000 years ago, and that a similar condition of things will take place 800,000, 900,000, and 1,000,000 years to come.

This theory has elicited much discussion and able opposition in the English scientific magazines. It is claimed by those who dissent from it that, admitting the accuracy of Mr. Croll's determination of the values of the eccentricity, such a state of facts alone is not sufficient to account for the glacial epoch known to geologists.

*Sun-Spots.*—At a meeting of the Royal Astronomical Society, Mr. Huggins presented the result of his observations of bright "granules" on those parts of the sun which are free from spots. These granules are the same appearances which have been called by other observers "willow-leaves," "rice-grains," "shingle-beach," and "bright nodules," all of which terms convey about the same idea of the phenomenon. The granules are distributed over the whole surface of the sun, excepting those areas which contain spots. When observed with powers of only 100 diameters, they present the appearance of rice-grains, but at higher powers, irregular masses may be seen. The granules do not appear to be flat disks, but bodies of considerable thickness. They average about 500 miles in breadth, and 500 or 600 miles in length; some being smaller, and occasionally one appearing of 1,000 or 1,200 miles in diameter. On many parts of the sun they lie in groups, the components being separated by small intervals. These groups vary in form, in some places taking the shape of round or oval cloud-like masses, and are elsewhere long, irregularly formed bands. To these groups, and to the varying brightness of the material between the groups and the granules, is to be attributed the coarse mottling of the sun's surface when observed by low powers. By some theorists they are considered to be recently condensed incandescent clouds, and by others as ridges, waves, or hills, on the surface of comparatively large luminous clouds.



In a recent essay, M. Chacornan expresses the opinion that the sun is a liquid incandescent mass, surrounded by a dense and imperfectly transparent atmosphere. In this atmosphere the solar vapors, raised by evaporation from the liquid nucleus, ascend till acted upon by the cold of the celestial spaces, when they are converted into luminous crystals. He attributes the spots to the engulfment of vast areas of these photospheric crystals, which lose their brightness as they sink. Another observer speaks of "several roundish, isolated portions of luminous matters (having the appearance of icebergs floating in a black sea) in the centre of an umbra."

During the year ending August 1, 1866, 282 negatives of the sun were taken in 158 days by the heliograph at Kew. The areas of the spots and penumbra were accurately measured, and the heliometric latitude and longitude calculated.

Father Secchi has completed the reduction of magnetic observations made during the years 1859-'65, and of sun-spots during the same period. The results show the reciprocal influence of periodic variations of spots and of amplitudes of the daily magnetic oscillations:

YEARS.	Days of observation of spots.	Number groups observed.	Daily variation of magnetic declination.	Variation of the horizontal intensity.
			Div.	Div.
1859.....	164	257	8.105	9.53
1860.....	122	251	8.025	9.59
1861.....	124	269	7.011	9.42
1862.....	49	102	6.572	9.03
1863.....	126	105	5.579	9.31
1864.....	100	97	6.121	9.18
1865.....	181	86	5.547	9.00

It will be observed that the minimum of spots corresponds to the minimum of magnetic variations.

*Spectra of some of the Fixed Stars, the Moon, and Planets.*—Messrs. Huggins and Miller have spent much time during the past two and a quarter years studying the spectra of the fixed stars. Very few nights were favorable for observations, owing to the ever-changing want of homogeneity in the earth's atmosphere. The light of bright stars is very feeble when subjected to the large dispersion necessary to give certainty and value to the comparison of the dark lines of stellar spectra with the bright lines of terrestrial matter. For the purpose of these examinations, Messrs. Huggins and Miller made great improvements in the apparatus employed, bringing it to a point of perfection hitherto unknown. About fifty stars were examined by them, but their principal efforts were concentrated upon three or four of the brightest, the spectra of which are as rich in lines as the sun. The few really fine nights which are available whilst a star is well situated for such observations in respect of altitude and

sun-setting, make the complete investigation of a star the work of some years.

Aldebaran ( $\alpha$  Tauri)—a pale-red star—is strong in the orange, red, and green lines. Nine of its spectra are coincident with certain lines in the sun-spectrum, indicating the presence of sodium, magnesium, hydrogen, calcium, iron, bismuth, tellurium, antimony, mercury. No coincidence was observed with nitrogen, cobalt, tin, lead, cadmium, lithium, and barium.

$\alpha$  Orionis (Betelgeux)—an orange-tinted star—shows strong groups of lines, especially red, green, and blue. The lines are coincident with those of sodium, magnesium, calcium, iron, and bismuth.

$\beta$  Pegasi—of a fine yellow color—reveals the presence of sodium, magnesium, and perhaps barium. The absence of hydrogen lines in this star and also  $\alpha$  Orionis, is an observation of considerable interest.

The spectrum of the brilliant white star Sirius is intense, but owing to its low altitude, the observation of the finer lines was rendered difficult by motions of the earth's atmosphere. Sodium, magnesium, hydrogen, and probably iron lines, were found. The hydrogen lines were strong. The white star,  $\alpha$  Lyrae, strongly resembles Sirius through the spectroscope. The spectra of Capella, a white star, and Arcturus (red), are analogous to the sun. In the last-named star the sodium line was ascertained beyond a doubt. In Pollux, coincidences were remarked with the sodium, magnesium, and probably the iron lines. Sodium lines are discovered in  $\alpha$  Cygni and Procyon.

In the moon, no other strong lines are visible than those of the solar spectrum, when the sun has a considerable altitude. The quantity of light from different parts of the moon is very different, but the lines of the spectrum are in every case the same. The result of these examinations is wholly negative as to the existence of any lunar atmosphere.

Lines of orange and red are discovered in the spectrum of Jupiter, which are attributed to the modification of solar light before reaching our atmosphere, and are therefore due probably to absorption by the atmosphere of Jupiter. On one night, the moon and Jupiter being near each other, the opportunity was seized to compare them directly with each other, and these lines were the only perceptible difference observed between the two bodies. Similar bands in the orange and red are seen in Saturn.

In Mars no lines were detected in the red, like those in Jupiter and Saturn, with the exception of two or three strong lines in the extreme red. The spectrum of Venus is of great beauty, corresponding with that of the sun.

*Comets.*—Comet 1, 1866, was an oval nebulous mass, surrounding a very minute and not very bright nucleus, which possessed no sensible magnitude in the telescope. The light of the coma was different from that of the minute nucleus. The latter was self-luminous,



and the matter of which it consisted was evidently in the state of ignited gas. The coma probably shone by reflected solar light—the spectrum of the light of the coma differing entirely from that characterizing the light emitted by the nucleus. The prism gives no information whether the matter forming the coma be solid, liquid, or gaseous, though terrestrial phenomena would suggest that the parts of a comet, which are bright by reflecting the sun's light, are probably in the condition of fog or cloud. The nitrogen line is the only one detected in the nucleus. We must wait for a comet of sufficient splendor to permit the satisfactory prismatic examination of its physical state during various changes of its perihelion passage.

Father Secchi, at Rome, in January, 1866, made a spectrum analysis of Tempel's comet, and found the light monochromatic (green), similar to that of the nebula in Orion. The monochromatic condition of the light he attributes to a molecular constitution different from that which forms the planets and stars. He infers that not all the light which comes from the comet is reflected from the sun, or, if it is so, that it suffers a singular sort of absorption. The spectrum of the comet exhibited three principal lines on a faintly-shaded ground. The latter is probably due to light reflected from the sun; the residue, the light of the comet itself.

*Influence of the Tidal Wave on the Moon's Motion.*—Mr. Adams and M. Delaunay, have shown by their recent investigations that the change in the eccentricity of the earth's orbit accounts for only about one-half of the secular acceleration of the moon's motion, viz., about six seconds in a century. Prof. Harrison suggests that the other half might be accounted for simply by assuming that the length of the sidereal day has increased by merely .01197 of a second in the course of 2,000 years. M. Delaunay subsequently showed that the retarding effect of the tidal wave, originally pointed out by M. Mayer, twenty years ago, sufficed to account for the increase required in the length of the day. He concluded that the six seconds of acceleration resulting from the change of eccentricity in the earth's orbit are real, but that the other six seconds are only apparent. At a still later date M. Delaunay admitted that the tides produce a real acceleration of the moon's motion. In a paper, published in the "Philosophical Magazine" last August, by Mr. Croll (the second on that subject by the author), he offered the following considerations to show that the solar wave must diminish the earth's motion around the common centre of gravity of the earth and moon, and must therefore accelerate the angular motion of the moon. Suppose the rotation of the earth to be reduced to that of the moon, viz., once a month. In that case the earth would always present the same side to the moon. The lunar wave would of course exist

the same as at present, but would remain stationary on the earth's surface. The solar wave would also exist the same as it does now, but would move round the earth once a month, instead of once in twenty-four hours as at present. However slow the motion, a considerable amount of heat would be generated by friction. The source from which the energy lost in the form of heat would be derived, would evidently be the rotation of the earth round the common centre of gravity; for it is to this source that the motion of the water is due. Now the effects which would take place under these circumstances do actually take place under the present order of things. The two sets of effects caused by the lunar and the solar waves do not interfere with each other; consequently the solar wave must be slowly consuming the *vis viva* of the earth's rotation round the common centre of gravity. It is this *vis viva* which keeps the earth and moon separate from each other. As the *vis viva* is consumed, the two must approach each other, and thus the angular motion of the moon be accelerated. The solar wave does not consume the *vis viva* of the moon's motion around the common centre, but only that of the earth. Since the earth is gradually approaching nearer to the moon in consequence of the consumption of centrifugal force, which keeps it separate from that orb, the moon must therefore be moving with all its original *vis viva* in an orbit which is gradually becoming less and less, and the period of its revolution is consequently diminishing in length. According to M. Croll's calculation, it is therefore merely a question of time—though the possible date of the catastrophe is incalculably remote—when the earth and moon shall come together.

*The Zodiacal Light.*—M. Liandier, in the *Comptes Rendus*, says that he has watched the zodiacal light for several years, during the evenings of February and March. In 1866 he observed it from the 19th of January to the 5th of May. He reports that it has the shape of a perfect cone, varying in luminosity and color from a dull gray to a silver white, its changing aspect probably being caused by the condition of our atmosphere. In February the summit of the cone reached Pleiades, and the Twins in May. Between January and May he found it to follow the zodiacal movements of the sun. M. Liandier believes the luminous cone to be a fragment of an immense atmosphere, which envelops the sun on all sides. If so, he says it may be expected to exercise an enormous pressure on the sun, with a great development of heat, and, if local variations occur, may explain the phenomena of sun-spots, through the reduction of temperature that would follow its diminished pressure.

*Nebulæ.*—About sixty nebulæ, examined by Mr. Huggins during the past year, reveal a spectrum of one, two, or three bright lines. Their elements cannot be determined, and the material of the nebulæ is supposed to be luminous



gas. The light of three nebulae was compared with that of a sperm candle burning 158 grs. an hour, with the following result: the estimation being made in the brightest part of the nebulae:

Intensity of nebula, No. 4,628, IHIV=.....	$\frac{1}{1508}$
Intensity of annular nebula in Lyra.....	$\frac{1}{8093}$
Intensity of dumb bell nebula.....	$\frac{1}{10804}$

The nebulae which have thus far been examined may be divided into two great groups; one giving bright lines with a faint spectrum background, the other giving apparently a continuous spectrum. The nebula in the sword-handle of Orion exhibits three bright lines; and in Lord Rosse's telescope reveals a large number of very minute red stars, which do not furnish a visible spectrum. The bluish-green matter of this nebulae has not yet been resolved. The question arises: Are all the unresolved nebulae gaseous, and those which give a continuous spectrum clusters of stars? Half of the nebulae which give a continuous spectrum have been resolved, while of the gaseous nebulae none have certainly been resolved.

*The Force which prolongs the Heat and Light of the Sun and other Fixed Stars.*—Prof. Ennis, in his interesting treatise on the "Origin of the Stars," propounds the following theory of the force which has given so prolonged a duration to the light and heat of the sun: That the chemical force now active in the sun is the conversion or conservation of the atomic force of repulsion which once held the solar system in a nebulous condition—that condition being one of inconceivable rarity. This atomic force must have been inconceivably great, and, being indestructible, must still exist. In fact, it is now, and has long been, passing off as light and heat through conversion into chemical forces. But why suppose that the original repulsive force is converted into light and heat through chemical agencies, rather than through electricity or some other means? The answer is—because the present action in the sun, and in the fixed stars, and the former action in our earth, all strongly indicate chemical action. This force now operates in the sun and other fixed stars by three methods.

First. There are reasons to believe, from the nature of matter, that the materials in the sun may possibly give out more heat than those in our earth. On this planet one substance gives out more heat than another of equal weight; as, for instance, a pound of hydrogen produces more than four times the heat of a pound of carbon. Between other elements there are similar differences. Chemical diversities seem endless in number, and immeasurable in extent. Every star, so far as yet known, has a different set of fixed lines in the spectrum, although there are certain resemblances between them. It may, therefore, be concluded that each star has, in part at least, its peculiar modifications of matter called simple elements. The peculiar elements of the sun may differ from ours in heat-producing power as much as ours differ from one another in den-

sity, and this is as 256,700 (hydrogen) to 1 (platinum). The assumption that the materials of the sun can give out no more heat, pound per pound, than the materials of the earth, is therefore unfounded.

Second. The conditions for producing heat in the vast laboratory of the sun, are different from those with which we are familiar on this earth. Combustion, with us, is always between a gaseous body and another which may be either gaseous, liquid, or solid; while in the sun the chief combustion takes place between liquid materials, for the liquid body of the sun is the hottest. Pressure exercises an important influence on combustion; and the pressure of the atmosphere of the sun must be inconceivably great considering the height of the atmosphere and the powerful attraction of the sun; but even that is as nothing compared with the pressure in the liquid body of the sun, many thousand miles down. The force of chemical attraction which impels atoms to unite in collision, thereby causing heat, may be in some way more powerful in the sun than on the earth. The ether or ethers around the sun may contribute to the production of heat.

Third. New combustibles may now be preparing in the sun from materials which have already been burned. According to the nebular theory, what we call the simple elements are mere modifications of one general fundamental matter. These modifications have arisen during the process of condensation, and must still be forming in the sun, because the sun is eight times less dense than is required by the law of density in the solar system, and will continue to form until its fires are burned out, and its due density is reached. Our "simple elements" may be not only compounds but double compounds, or compounds that are the result of hundreds or thousands of compoundings. In this way there must have been, at different periods, entirely different sets of elements in the sun. After one set had combined, producing light and heat by the combination, the resulting compound products may have again combined, with the same effect of light and heat, and so on in a continuous line of changes until the sun has attained its proper density, its fires are extinguished, and it becomes a "lost star," like the earth and the other members of the solar system.

With regard to the ultimate identity of suns, planets, and moons, Prof. Ennis says: "We are really treading on a fixed star. Here we have an opportunity of leisurely observing how a fixed star appears after its light has gone out. As in a forest we note the progress of the oak, from the acorn to the tall tree, some just rising from the ground, others vigorous in the sapling growth, and others whose trunks are populated with mosses and lichens, and whose branches are alive with birds, so we can see like stages of progress among the heavenly bodies, our earth included. Some are glowing with the fervor of most intense heat; others, like our



earth, are cooled on their surfaces, and with only volcanoes to tell of their molten history; and others, like our moon, are still further on in their history, where even volcanic energy has become cold and dead. Some are invariably bright, and others, like our sun, exhibit comparatively small dark spots on their sides. Some at each rotation have their light slightly dimmed with spots; others again are dimmed more and more, and still others have at each rotation their light entirely hid. At last we behold others whose light goes out entirely, perhaps to be rekindled by a temporary glow, and to be called by astronomers a temporary star, and then its light is gone, dark, forever dark, not to be a dreary solitude, but in a resurrection morn to be reilluminated, like our earth, with the happy light of intellectual life and social enjoyment."

*Asteroids.*—The 85th asteroid has been named Io, which is also the designation of one of the satellites of Jupiter. On the 4th of January, 1866, Dr. F. Tietjen at Berlin, discovered a new asteroid (86) of the 12th magnitude, near to asteroid 85, whose place he was then engaged in determining. It has received the name of Semele. Mr. Pogson, at Madras, discovered an asteroid (87) on the 16th of May, whose magnitude he estimated at 11.5. Dr. C. H. F. Peters, at the Hamilton College Observatory, discovered on the 15th of June, No. 88, a little brighter than stars of the 12th magnitude. The last two asteroids are named respectively Sylvia and Thisbe. The 89th asteroid was discovered by M. Stephan, the director of the Marseilles Observatory, in the constellation of Capricorn. It is estimated at the 9th magnitude. On the 11th of October, Dr. Luther, of Bilk, near Düsseldorf, discovered the 90th asteroid, which is of the 11th magnitude. The discovery of the 91st asteroid at the Marseilles Observatory, reported by M. Le Verrier to the French Academy, completes the list announced for the year.

*The Astro-Photometer.*—Zollner gives the following results of his recent observations with the astro-photometer.

The light of the sun, in comparison to that of the star Capella, is as 55,760,000,000 to 1, with a probable error of about 5 per cent.

The following is Zollner's estimate of the comparative light of the sun with several of the planets:

	Prob. error.
Sun = 6,994,000,000 times Mars.....	5.8 per ct.
" 5,472,000,000 times Jupiter.....	5.7 "
" 130,980,000,000 times Saturn (with- out ring).....	5.0 "
" 8,486,000,000,000 times Uranus....	6.0 "
" 79,620,000,000,000 times Neptune..	5.5 "
" 619,000 times Full Moon.....	2.7 "

By comparing surfaces, the sun = 618,000 times the full moon, with a probable error of 1.6 per cent.

From the above estimates, it may be inferred that the sun, at a distance of 3.72 years way of light, would appear like Capella with a paral-

lax of 0'' 874. Peters has actually found 0'' 046. If the light suffers no absorption in the celestial spaces, Capella must give out much more light than the sun; and a Centauri seems to be equal to the sun.

*Works and Memoirs.*—Among the works and memoirs upon astronomical subjects published in this country during the present year, may be mentioned the following: *The Origin of the Stars*, by Jacob Ennis, 12mo, D. Appleton & Co.; *Memoirs of the National Academy of Sciences*, 4to, Government printing-office, Washington; *Annals of the Dudley Observatory*, vol. i.; a new edition (3d) of *Olmsted's Astronomy*, revised by E. S. Snell, LL. D., Professor of Natural Philosophy in Amherst College. At the meeting of the American Association for the Advancement of Science, at Buffalo, in August (after a suspension of meetings for five years, in consequence of the war), the following papers bearing upon astronomical topics were read: *Spots on the Sun*, by Prof. E. Loomis; on the *Period of Algol*, by the same; on *Fundamental Star Catalogues*, by Prof. T. H. Safford, of Chicago. At the August meeting of the National Academy of Sciences, John N. Stockwell read a paper on the *Secular Acceleration of the Moon's Mean Motion*; Prof. B. Pierce, on the *Origin of Solar Heat*; Prof. T. Strong, on a *New Theory of Planetary Motion*; and Lewis M. Rutherford, on *Astronomical Photography*.

AUSTRIA.\* Emperor, Francis Joseph I., born August 18, 1830; succeeded his uncle, Ferdinand I. (as King of Hungary and Bohemia called Ferdinand V.), on December 2, 1848. Heir apparent, Archduke Rudolph, born August 21, 1858.

In consequence of the German-Italian war, Austria lost the crown-land of Venetia, which was annexed to Italy. The cession of this province reduced the area of Austria to 239,048 English square miles, and the population to 32,573,002. Of this total population 21,521,713 are Roman Catholics; 3,536,608, Greek Catholics; 2,921,541 (non-united) Greeks; 1,218,750, Lutherans; 1,963,730, Reformed; 50,887, Unitarians; 3,944, members of other sects; 1,043,448, Israelites. As regards nationalities, the empire has now 7,877,675 Germans, 11,044,872 Northern Slavi, 3,955,882 Southern Slavi, 581,126 Western Roumanians (Italians, etc.), 2,642,953 Eastern Roumanians, 4,947,134 Magyars, 1,210,949 persons of other races.

The receipts in the budget for 1866 were estimated at 495,004,238 florins, and the expenditures at 535,143,384 florins. The public debt amounted, on January 30, 1866, to 2,831,211,195 florins. The portion reimbursable and bearing interest is represented by 720,787,485 florins; not bearing interest, 313,334,643 florins; and the portion not repayable, and bearing interest, 1,797,060,043 florins; and bearing no interest,

\* For the latest commercial statistics received from Austria, and for an account of the Austrian Reichsrath, see ANNUAL CYCLOPÆDIA for 1865.



29,022 florins. A sum of 125,473,744 florins is required to pay the annual interest on the public debt, which has increased since the end of December, 1865, by 234,831,693 florins.

The strength of the army on the peace and war footing was, in December, 1865, as follows:

	Peace footing.	War footing.
Infantry .....	171,428	489,788
Cavalry .....	39,183	41,903
Other troops .....	45,122	93,962
Total .....	255,733	625,653

The navy consisted, in December, 1865, of 66 steamers, with 13,580 horse-power, and 723 guns; and 51 sailing vessels, with 340 guns.

The relations between Austria and Prussia were, from the beginning of the year, most unfriendly. In a note, of February 7th, Austria declined to acknowledge the grievances expressed in a Prussian dispatch of January 26th, with regard to the Austrian administration of the duchy of Holstein, and defended its right of independent administration. In the course of March Austria began to arm, and on March 16th established a council of war in the cities of Prague, Pisek, Tabor, and Pilsen. On the same day the Austrian Government addressed a circular to the Governments of the Germanic Confederation concerning its relations with Prussia, and intimated that it would appeal to the Confederation. In reply to the remonstrances of the Prussian Government, the Austrian envoy at Berlin declared, on March 31st, that his Government had not the remotest thought of attacking Prussia, and that the emperor had no intention to act contrary to art. 11 of the Federal pact. The same assurances were repeated in a note of April 7th, and the hope was expressed that, as Austria had not taken any extraordinary military measures, Prussia would not execute the military orders that had recently been given by her. In a note of April 18th Austria declared her readiness to disarm on a fixed day (April 25th) if she could rely upon the same conduct on the part of Prussia. The Prussian Government having virtually assented to that proposition, Austria declared, in a note of April 26th, that she would disarm on the Bohemian frontier before Prussia, hoping that the armament in Italy would not be regarded as being directed against Prussia. In a second note, of the same date, Austria urged a mutual understanding in the Schleswig-Holstein question, and indicated the concessions which she was ready to make to Prussia, namely, the definite cession of the military positions of Kiel, Rendsburg, and Sonderburg; a cession of territory for the establishment of fortifications at Düppel and Alsen; the union of the duchies with the Zollverein; and the construction of a canal from the German Sea to the Baltic. It was also intimated that if Prussia should refuse to accede to these propositions, Austria would appeal to the Confederation. These propositions appearing unacceptable at Berlin, Austria again, in a note of May 4th, assured Prussia of her pacific inten-

tions, but insisted on her right of arming against Italy, in order to protect not only her own frontier, but the frontier of Germany. This note ended the diplomatic correspondence concerning the armaments, and henceforth both powers prepared for the great struggle. An invitation (May 28th) from the great neutral powers to take part in a peace conference was accepted by Austria, upon the condition, however, that from the negotiations every combination should be excluded which would tend to give to any one of the powers an aggrandizement of territory. Thus the last attempt to prevent war failed. On June 1st Austria formally appealed for a decision on the Schleswig-Holstein question to the Federal Diet. The Prussian Government having maintained, in a note of June 3d, that Austria, by the proposition made at the Federal Diet, had violated the treaty of Gastein, and thereby justified Prussia in falling back upon the provisions of the treaty of Vienna (a common occupation of the duchies), the Austrian Government, on June 9th, replied that the arrangements between Prussia and Austria could not be prejudicial to the rights of the Confederation, and that Prussia had already previously violated the treaty of Gastein (for instance, by having the question of succession decided by the crown syndics, by imposing fines based upon this decision, etc.) Hostile movements of Prussia against Saxony, Hanover, and Hesse-Cassel having begun on June 15th, the emperor on June 17th addressed a manifesto to the people of the empire, which Count Mensdorff communicated to the representatives of Austria at foreign courts. On June 18th, the first Austrian troops crossed the Prussian frontier, thus actually opening the war against Prussia and Italy, which, after the short duration of a few weeks, ended in the total defeat of Austria, and the loss of one of her richest crown-lands. The preliminaries of peace between Austria and Prussia were signed at Nicholsburg on July 26th. Between Austria and Italy an armistice was signed on August 11th. The definitive treaty of peace between Austria and Prussia was signed at Prague, on August 23d, and that between Austria and Italy at Vienna, on October 4th. (For a full history of this war, see the article GERMAN-ITALIAN WAR.)

The German provinces of Austria were greatly agitated relative to their future relations with Germany. On September 9th a meeting of the deputies of the German Diets of Austria was held at Aussee, Steiermark, to consider the measures to be adopted for determining the position of the German population of Austria, and for preserving their connection with Germany. The meeting recognized the formation of a united German party as indispensable, and that the principal of dualism, with the restriction that certain matters be recognized as common affairs and dealt with by common parliamentary treatment, was the only arrangement by which real liberty could be attained. It was further agreed that the state of



things imperatively called for a clear definition of the competency of the representative assemblies, with a reservation in favor of the maintenance of the peculiar institutions of the different countries, as well as for a revision of the constitution by a legal and general representation of the countries this side the Leitha.

The relations of Austria with Italy seemed, at the beginning of this year, to improve, by an order of the Austrian ministry (February 16th), extending the provisions of the Austro-Sardinian treaty of commerce of 1851 to all merchandise arriving in Austria from any part of the Italian kingdom. The arming of Austria against Prussia led, however, to an alliance between Prussia and Italy, and to a participation of the latter power in the German-Italian war. The conclusion of peace united the larger portion of the Italian subjects of Austria with Italy; but there remains a strong Italian party in Southern Tyrol which demands annexation to Italy, and which is likely to be the cause of future trouble between Austria and Italy. (*See ITALY.*)

In October Baron von Beust, formerly Minister of Foreign Affairs in the kingdom of Saxony, was appointed by the emperor Minister of Foreign Affairs. It was understood that the chief aim of the new ministry would be to conciliate all the different nationalities of the empire, and, in particular, the Hungarians. In a circular, dated November 2d, and addressed to the diplomatic agents of Austria abroad, Baron von Beust spoke of the policy to be pursued by the Government as follows:

"His majesty the emperor has deigned to appoint me his Minister of Foreign Affairs. Penetrated by unbounded gratitude for this signal mark of confidence, I have no other ambition than to render myself worthy of it, and to devote my whole life to the service of his majesty. While desiring to profit by the experience I have gained elsewhere, I consider myself, however, separated from my political past from the day on which, thanks to the will of his imperial and apostolic majesty, I became an Austrian, and I shall only preserve in my new position the testimony of a deeply venerated sovereign whom I feel I have served with zeal and fidelity. It would suppose in me, especially at the commencement of my new career, a strange forgetfulness of my duties to believe me capable of bringing to them preferences or resentments from which in truth I feel completely exempt. I beg you, sir, not in my own interest, but in that of the emperor's service, to thoroughly understand this, and to make it understood in the conversations you may have on this subject. The Imperial Government, all the efforts of which must tend to remove the traces of a disastrous war, will remain faithful to that policy of peace and conciliation which it has always followed; but while the unfortunate issue of a recent struggle renders this a necessity, it at the same time imposes upon the Government the duty of showing itself more than ever jealous of its dignity. The imperial mission will, I am

certain, cause it to be respected under all circumstances, and they will find in me a support which will never fail them. It remains for me to express to you the satisfaction I experience upon entering into regular relations with you, and to beg of you to be kind enough to facilitate my duties by seconding the efforts I shall make in order to fulfil them according to the intentions of our august master, and so that too much regret may not be felt for a predecessor so justly surrounded by the esteem and confidence of his subordinates."

The policy of Baron Beust raised great hopes among the Hungarians, but created a great deal of dissatisfaction among the Germans.

One of the most indispensable reforms, in the opinion of the Government, was that of a total reorganization of the army. It was semi-officially announced that the chief points of the proposed reform of the Austrian military organization would be as follows: The army to be supplied with breech-loaders; simplification of the commissariat regulation; a new audit system, and prompt examination of all military accounts; the improvement of the educational institutions for the army; the formation of officers' schools; strict examination for those aspiring to become officers and staff officers; a new law of promotion; changes in the organization of the general staff; reform of the military penal laws; alleviations of the burdens of the public treasury by a considerable reduction in the number of officers, and the partial cessation of promotions; and special ordinances with regard to furloughs and removal from active service. This announcement created great dissatisfaction, especially in Hungary.

On October 27th a man was arrested in Prague, charged with an intent to assassinate the emperor. The Austrian papers stated that when the emperor was leaving the Czech theatre at Prague, an English captain (Palmer), who was among the crowd of spectators, saw a man near him raise his right hand, in which he held a small pistol. Captain Palmer struck down his arm, and seized him by the collar. The man immediately slipped the pistol into the side-pocket of his paletot. On inquiring, it was found that he was a journeyman tailor. When arrested he dropped a piece of black silk, in which were found powder, three caps, and two large pieces of lead. The pistol was loaded and cocked, but it had no cap on. This was, however, found opposite the principal entrance to the theatre, by two young men, after the emperor had left. The investigation of the affair left it, however, doubtful as to whether the man arrested really meant to take the life of the emperor.

The difficulties between Austria and Hungary remained unsettled. In consequence of the disastrous result of the German-Italian war, the Austrian Government showed a disposition to grant most of the demands of the Hungarians, but no full agreement had been arrived at at the close of the year, when, on the



contrary, the army reorganization bill produced a new estrangement. (See HUNGARY.)

Of the many nationalities inhabiting Austria, none was more satisfied with the policy of the Austrian Government than the Poles of Galicia. An enthusiastic Pole, Count Goluchowski, was (in October) appointed Governor-General of Galicia, and, to the great delight of the Poles, the Provincial Diet of Galicia was, for the first time, opened in the Polish language. The Government also discontinued the publication of the official papers, published in the German language, in Cracow and Lemberg. So well were the Poles pleased with this policy, that many began to dream and talk of the restoration of Poland under an Austrian archduke. But while highly gratifying to the Poles, this policy greatly irritated the Ruthenians, another Slavic tribe in Galicia, constituting more than one-half of the population of that province, though the Poles are the ruling and controlling class. The sittings of the Galician Diet were frequently the scene of violent discussions between the two races. The Ruthenians were virtually placed by the Government under Polish control, and, notwithstanding their violent protestations, had their schools and churches handed over to Polish direction. The Poles, delighting in being able to repay, to a certain extent, to the Ruthenians what their countrymen in Russia suffered at Russian hands, have restricted the use of the Ruthenian language in the schools, and, in an address of the Galician Parliament to the emperor, asked for permission to continue, and even go further, in limiting the same. The cause of the Ruthenians is espoused with great zeal by the Russian Government and people, whose disposition toward Austria was consequently any thing but friendly.

AZEGLIO, MASSIMO TAPARELLI, Marquis D', an Italian statesman, author, and artist, born at Turin in October, 1801; died at Turin, January 15, 1866. He was descended from an ancient and noble family of Piedmont, his father holding a high position under the government, and editing the conservative paper *L'Amico d'Italia*. Young Massimo spent his first seven years in Florence, where he learned pure Italian speech and manners. In 1814, his father being appointed ambassador to Rome, he accompanied him thither, and there contracted a love for the fine arts; but his study of music and painting was interrupted by his father procuring him an appointment in a Piedmontese cavalry regiment. Here he devoted all his leisure with such intensity to scientific pursuits, that he brought on an illness which obliged him to retire from the service. After the embassy was concluded, he returned to Turin with his father, and there entered upon a course of severe and earnest study; and becoming satisfied that it was his destiny to be a painter, succeeded finally in obtaining parental permission to return to Rome and lead his artist-life, if he chose, on condition that he would expect for his full support no more than the pocket-

money he would receive in Turin; and a year had scarcely elapsed before he had made himself a name in Rome as an artist. After a residence of eight years in that city, during which he added history to the study of painting, he returned to Turin, and on the death of his father, in 1830, went to Milan for the further prosecution of his art. Here he formed an acquaintance with Alessandro Manzoni, whose daughter he married, and from this time began to make himself known in literature, his novels, *Ettore Fieramosco* (1833), and *Niccolo di Lapi* (1841), having done much to fire the national spirit of the Italians. The latter work has been praised as the best historical novel in any language. The political affairs of Italy soon occupied him exclusively; he traversed the provinces, cities, and villages, seeking to stir up the spirit of patriotism, and to conciliate the unhappy party divisions, and was everywhere received with rejoicing and acclamation. While in Florence he wrote his famous *Degli Ultimi Casi di Romagna*; in which he lashed the Papal Government, denounced the vain attempts at insurrection, and proved to the Italian princes the necessity of a national policy. After the election of Pius IX. as pope, Azeglio returned to Rome, and to his influence was ascribed the reforms with which Pius began his government. During this time he wrote much on public questions, and subsequently the whole of his political writings, collected in one volume, appeared at Turin. When Charles Albert, after the rising of Lombardy, crossed the Ticino, Azeglio left Rome with the papal troops destined to support the Italian contest. In the battle of Vicenza, where he commanded a legion, he was severely wounded while fighting at the head of his troops, and scarcely was he recovered when with his pen he courageously opposed the republican party, now intoxicated with victory. Having fought for his country, he was now called to the far more difficult task of shaping the policy which was to preserve life and liberty to Piedmont. On the opening of the Sardinian Parliament, he was chosen a member of the Chamber of Deputies, and in 1849 the young king, Victor Emanuel II., appointed him President of the Cabinet, an office he undertook solely from love to his king and his country. On the one hand, treaties were to be made with Austria, and on the other the republican elements of Piedmont—most violent in Genoa—were to be tranquillized. Azeglio succeeded in not only quelling the Genoese, but in persuading his countrymen to acquiesce in the treaty ratifying the defeat of Novara; and by skilfully temporizing with the enemies of peace without and within, he restored the kingdom to security and quiet. To him was due in a great measure the preservation of the only constitution of the many granted in 1848, and his Fabian policy was the only real hope of Italy. The press remained free in Piedmont, and the inviolability of political asylum was maintained. Patriots were attracted from



all parts of the Peninsula to Turin, and that sentiment of national unity created which, when Cavour came to relieve D'Azeglio, was made the foundation of the new Italian kingdom. In November, 1852, he left the cabinet, and for seven years remained in private life. In March, 1859, he was sent to England on a special embassy, and on his return accepted the temporary presidency of the Romagna; undertook, after the peace of Villafranca, a confidential mission to England; and afterward the post of governor of the city of Milan. Ill-health, love of art, the desire for the retirement and pursuits accordant with his tastes and habits, and some differences of opinion with his colleagues, caused him finally to withdraw from public life. He spent the greater part of his last years in that pleasant Tuscan capital which he loved so well, with no other labor to employ him but the preparation of his memoirs, which he has left only half completed. These will, no doubt, add greatly to the riches of a literature already opulent in autobiography, and will form a precious contribution to the history of the most important events of our time.

The immediate cause of the Marquis d'Azeglio's death was a fever taken by remaining too late in the season at his villa near Turin. He aggravated the disorder, after returning to the city, by writing constantly on his memoirs, but his case was not considered alarming until within a week before his death. A few days later he was visited by the Prince of Carignano and the Admiral Persano, whom he recognized, saying, "Thanks, thanks! I have been a faithful servant to the house of Savoy." Others of the great and noble from every part of Italy came to take leave of him, and, although suffering acutely, he received all graciously, and was in such perfect possession of his faculties as to be able to speak to each in the dialect of his province.

It is related that one morning, shortly before his death, he heard the rehearsal of music for a mass in a chapel near his house, and observed quietly: "They are preparing for me the music of the mass; very well! It is beautiful and well done." Among his latest words were: "*Non posso far niente per l'Italia!*" (I can do nothing more for Italy).

## B

BADEN, a grand duchy in South Germany. Grand Duke Friedrich, born September 9, 1826; succeeded his father Leopold, as regent, on April 24, 1852; assumed the title of grand duke on September 5, 1856. Area, 1,712 square miles; population in 1864, 1,429,199 inhabitants (of whom 933,476 were Catholics; 472,258 members of the United Evangelical Church; 25,263 Jews). The capital, Karlsruhe, had, in 1860, 30,367 inhabitants. The receipts of the financial year 1863-'64 amounted to 18,920,463 florins, and the expenditures to 18,132,693 florins. The army, on the peace footing, is 7,908; and on the war footing, 18,402 men. The Grand Duke of Baden made special efforts to avert a civil war in Germany, and when he was unsuccessful took part, with great reluctance, in the war. Baden is one of the States which were not to form part of the North German Confederation, but were left at liberty to form a South German Confederation. At the close of the year both the government and a majority of the two Chambers expressed a desire to be received into the North German Confederation.

BADGER, Hon. GEORGE EDMUND, an American statesman, born at Newbern, N. C., April 13, 1795; died at Raleigh, N. C., May 11, 1866. He graduated at Yale College in 1813, and studied law in Raleigh, where he early became distinguished for solidity and strength in his profession. In 1816 he was elected to the State Legislature, and devoted the next four years of his life to law and legislation. From 1820 to 1825 he was Judge of the North Carolina Superior Court at Raleigh. In 1840 he was a prominent advocate of the election of

General Harrison to the Presidency, and on the accession of that officer to the chair, Mr. Badger was appointed Secretary of the Navy. On the death of President Harrison, and the separation of Mr. Tyler from the Whig party, Mr. Badger resigned, giving the veto of President Tyler on the second Bank Bill as his reason. The Whigs of North Carolina rewarded the devotion of Badger by returning him at the first opportunity to the Senate. He was elected to fill a vacancy in 1846, and in 1848 reelected for a full term. In 1853 President Fillmore nominated him as a Judge of the United States Supreme Court, but the Senate refused to confirm the nomination. At the expiration of his term of office, he retired from public life, and devoted himself wholly to his profession. In February, 1861, when the proposition to hold a convention for the purpose of seceding from the Union was submitted to the people of his State, he consented to serve as a Union candidate if the convention should be called. The proposition was, however, defeated by the people; but when in May, 1861, the convention was finally called, he served in it as a representative from Wake County. He spoke ably in defence of the Union, and after the ordinance of secession was passed, was known as a member of the Conservative party. Mr. Badger was a vigorous speaker, but writing was ever irksome to him. "I will do any thing toward making a speech," he would say, "but I cannot write." As a lawyer he was seldom surpassed. In debate he excelled in the precision with which he could draw a nice distinction. He was pos-



sessed of a considerable vein of wit and humor, which, though perhaps dry and classical, was always effective, and the debates of the Senate prove that he was a man of profound research.

BALL, Rev. DYER, M. D., a Congregational clergyman and missionary of the A. B. C. F. M., born at West Boylston, Mass., June 3, 1796; died at Canton, China, March 27, 1866. When he was six years of age his family removed to Shutesbury, Mass., and during a revival of religion at Hadley, where he was temporarily residing, he became hopefully converted at the age of nineteen. His studies preparatory to the college course were pursued, in part, at Phillips Academy, and after two years at Yale College he was obliged to go South for his health. For a time he was tutor in a private family, near Charleston, S. C., and his collegiate education was not completed till 1826, when he graduated at Union College. In 1827 he was married to Miss Lucy Mills, of New Haven, Connecticut. He pursued theological studies for a time at New Haven, and afterward at Andover, and was licensed to preach in 1828, but was not ordained until 1831, at Shutesbury. In 1829 he was engaged in teaching a private school at St. Augustine, Florida; and in 1833 he was appointed an agent of the Home Missionary Society, to labor in that State. At this time, and during the whole of his ministry South, he was much engaged in labors for the good of the colored population. We next find him teaching in an academy in Charleston, S. C. In 1835, 1836, and 1837, in addition to other engagements, he pursued the study of medicine, with reference to foreign missionary work, and received the degree of M. D. from the medical institution in Charleston.

Dr. Ball is said to have been very popular and much beloved at the South, so that he was often urged to remain, and engage in evangelistic labors among the colored population. He was also eminently successful in teaching, and his financial prospects in his school were most promising, when he left it for labors as a missionary of the American Board in the far East. After coming North to go abroad, he was detained a year in consequence of the commercial crisis of that period, and during this time did something toward the acquisition of the Chinese language. He sailed, with his family and with several other missionaries, from Boston, May 25, 1838, and arrived at Singapore on the 17th of September following. For something less than two years he was stationed at Singapore, "teaching, preaching, healing the sick, and superintending the printing of Chinese books." In June, 1841, he went to Macao, for a temporary change, on account of the ill-health of Mrs. Ball, and was providentially led to remain there until April, 1843, when he removed to Hong Kong. On the 6th of June, 1844, he was called to deep affliction by the death of his excellent wife. In 1845 he removed to Canton, and on the 26th of February,

1846, he was again married, to Miss Isabella Robertson, from Scotland, then engaged in missionary labors at Canton, who was his companion for the remainder of his life, and survives him. His medical services here were of great assistance in conciliating the people. He taught a small school of boys, and continued the superintendence of printing books and tracts in Chinese, while his "Almanac" was for many years a most acceptable publication. Taking a few medicines and tracts, he would mingle with the people, first on the banks of the river and on the ferries, and then extending his visits to the villages and markets. In this way he became widely known and respected.

In February, 1854, Dr. Ball sailed, with his family, for a visit to the United States, and was absent from China until March 23, 1857, when he reached Macao on his return. His constitution was already much broken, and he was ever after infirm, and suffered much from pain as well as weakness; but it was his choice to spend his declining years in the land of his adoption, where two of his daughters, also, engaged in the missionary work; and while infirmities multiplied and pressed upon him, he still did what he could. During the last seven years of his life, when not actually confined to his couch, he would slowly work his way downstairs, totter out to his little chapel, which opened on the street, and there, seated in his arm-chair, would distribute tracts and address a few words to the passers-by, working according to his strength. Few have carried into the missionary field more energy and devotion to the work than the subject of this sketch.

BANKS. The first bank under the present law authorizing the establishment of National Banks in the United States, was organized in June, 1863. At the close of 1866 the number in active operation exceeded sixteen hundred, with an aggregate paid-up capital of over four hundred millions, owned by more than two hundred thousand stockholders. The system has won the confidence of the people, and has furnished thus far a currency of uniform value in all parts of the country. It has superseded all existing State banking institutions, and places the entire control of the currency of the country in the hands of the Federal Government. It has also proved, during its short existence, to be a most important auxiliary in the financial operations of the Treasury Department. For *Currency, Redemption, etc.*, see FINANCES U. S. The increase of national bank circulation in the United States has been as follows:

The national bank circulation, April, 1867, was \$291,000,000	
Legal tenders and small currency.....	405,000,000
Total, April, 1867.....	\$696,000,000
Deduct, on hand in the banks.....	123,000,000
Net circulation, April, 1867.....	\$573,000,000
Bank circulation, United States,	
January, 1862, was.....	\$183,000,000
Deduct, on hand in banks.....	25,000,000
	\$158,000,000
Increase in five years. ....	\$415,000,000



## BANKS OF THE UNITED STATES.

CONDITION OF THE NATIONAL BANKS OF THE UNITED STATES, JANUARY 1, 1867.												
LIABILITIES.												
STATES AND TERRITORIES.	No. of Banks.	Capital Stock paid in.	Surplus Fund.	National Bank notes outstanding.	State Bank notes outstanding.	Individual Deposits.	United States Deposits.	Deposits of U. S. Disburs'g Officers.	Due to Na-tional Banks.	Due to other Banks.	Profits.	Aggregate.
Maine	61	\$9,085,000	\$639,109	\$7,408,496	\$113,668	\$5,614,768	\$385,577	\$85,863	\$135,951	\$53,927	\$665,110	\$24,186,967
New Hampshire	39	4,735,000	355,796	4,110,755	95,672	2,052,608	374,850	128,676	955	589	232,271	12,113,171
Vermont	29	6,460,000	295,536	5,665,768	192,699	2,092,338	7,114	26,550	7,114	5,882	399,441	13,425,765
Massachusetts	162	37,982,000	4,849,603	31,113,987	705,124	19,714,116	1,869,602	25,215	869,648	160,160	2,467,270	98,558,629
Boston	45	42,550,000	6,618,312	25,265,836	328,395	41,034,527	990,213	42,177	13,802,668	1,356,898	2,670,702	184,662,555
Rhode Island	62	20,364,800	967,685	12,346,917	813,776	6,780,286	391,571	716,034	716,034	469,455	738,314	49,151,318
Connecticut	82	24,854,200	3,171,152	17,252,927	746,975	12,498,022	698,571	12,775	502,039	502,039	910,833	61,719,599
New York	242	37,945,241	3,864,641	29,821,111	1,269,629	49,280,077	2,013,951	102,487	2,318,741	1,471,834	8,578,196	132,106,140
New York	58	75,009,709	17,573,506	34,257,816	406,037	201,962,194	2,319,414	4,884	52,406,889	13,278,395	4,870,196	402,149,086
Albany	8	8,000,000	2,202,822	2,202,822	72,045	9,612,459	166,813	7,911	1,779,798	333,574	576,582	13,453,005
New Jersey	54	11,233,350	1,761,102	8,998,350	422,688	14,343,824	746,661	183,178	1,403,734	863,880	40,011,983	76,882,141
Pennsylvania	135	25,948,615	3,111,811	20,398,641	593,888	24,489,050	1,169,840	55,764	1,850,067	233,283	1,018,243	76,882,141
Philadelphia	30	15,942,150	5,178,759	10,747,764	142,641	41,175,912	2,469,668	28,705	6,583,431	825,109	1,022,834	84,088,271
Pittsburg	16	9,000,000	1,161,732	6,662,670	348,325	8,988,981	352,600	482,626	482,626	259,356	680,514	27,931,806
Delaware	11	4,428,185	271,593	1,177,163	48,611	1,404,766	51,096	20,895	184,888	28,617	77,059	4,692,326
Maryland	19	2,448,217	266,287	1,686,037	99,867	2,523,913	46,049	125,364	104,386	16,002	146,119	7,462,194
Baltimore	13	10,191,985	1,128,842	6,942,985	500,045	11,233,180	896,556	860	1,406,973	211,223	414,351	32,427,002
District of Columbia	1	100,000	373	89,300	.....	55,869	95,300	.....	822	.....	3,180	345,365
Washington	4	1,250,000	178,441	974,247	.....	1,377,759	892,416	27,986	122,072	1,098,251	104,047	6,025,222
Virginia	19	2,400,000	78,957	2,047,705	.....	3,483,550	246,136	191,025	145,753	40,749	175,562	8,759,391
West Virginia	15	2,216,400	128,824	1,975,210	7,514	2,661,260	182,894	47,142	107,675	49,320	139,148	7,513,389
North Carolina	5	547,750	17,256	259,600	.....	462,626	132,349	43,669	94,890	20,016	20,596	1,593,756
South Carolina	2	500,000	1,950	126,000	.....	1,038,486	.....	.....	189,024	4,823	101,771	1,961,556
Georgia	8	1,600,000	66,200	1,218,000	.....	2,331,874	330,048	73,853	317,577	6,807	134,227	6,078,689
Alabama	12	500,000	262,475	1,178,713	.....	1,178,713	702,079	.....	13,893	34,442	89,826	2,793,662
Mississippi	3	150,000	26,953	40,500	.....	163,261	.....	.....	17,987	1,676	16,981	422,360
Louisiana	2	1,800,000	44,314	1,081,600	.....	4,448,917	.....	.....	188,076	147,297	223,151	8,892,561
Texas	4	548,700	7,000	885,550	.....	1,241,396	452,256	60,141	19,767	9,235	64,566	2,788,614
Ohio	123	15,604,700	1,307,205	13,184,400	80,316	15,237,877	1,051,293	45,575	350,485	266,244	751,111	47,879,209
Cincinnati	8	4,000,000	619,658	3,263,250	.....	5,917,492	1,908,166	948	1,514,192	317,240	135,011	17,725,956
Cleveland	5	2,200,000	339,120	1,850,510	.....	3,857,950	502,900	46,047	200,125	135,528	74,138	8,734,421
Indiana	71	12,769,416	1,107,614	10,999,789	10,793	7,021,828	542,545	204,053	166,797	125,272	734,235	33,682,646
Illinois	69	6,420,000	549,390	5,364,130	8,469	8,755,048	720,104	134,489	64,885	63,769	526,261	22,601,574
Chicago	13	5,200,000	519,152	4,070,350	.....	7,839,650	624,358	.....	2,071,920	956,813	400,836	21,763,082
Michigan	88	3,435,000	265,289	3,600,979	.....	3,867,545	133,212	1,339	37,223	18,003	156,699	10,277,392
Detroit	4	1,550,010	257,073	952,385	905	2,781,568	251,517	200,298	148,433	63,844	61,709	6,226,745
Wisconsin	32	2,985,000	166,863	1,860,555	5,772	3,393,223	118,017	5,275	10,675	12,168	7,099	4,236,051
Milwaukee	5	850,000	167,649	692,450	810	1,666,490	224,728	60,691	415,371	150,731	315,473	13,585,336
Iowa	45	3,742,000	244,289	3,214,645	81,796	5,409,609	287,475	86,684	78,104	115,257	114,898	5,309,585
Minnesota	15	1,660,000	76,180	1,475,632	9,123	1,756,228	50,308	760	68,860	97,593	33,332	873,259
Kansas	8	248,000	13,000	175,000	.....	309,925	10,405	70,645	12,950	.....	46,714	2,881,948
Missouri	8	700,000	48,818	568,638	.....	1,446,921	55,728	.....	9,636	5,540	46,714	2,881,948
St. Louis	8	6,789,300	1,410,521	1,889,705	113,849	4,979,929	4,117,915	32,479	977,512	906,710	468,955	13,040,753
Arkansas	2	200,000	10,000	179,495	.....	410,855	160,980	116,098	157,388	.....	12,189	1,246,256
Kentucky	11	1,840,000	58,860	1,540,598	.....	1,544,178	192,393	10,949	84,791	104,894	88,297	5,415,293
Louisville	4	1,000,000	105,675	777,986	.....	396,629	138,260	.....	144,708	88,634	24,589	2,571,543
Tennessee	11	1,750,000	137,290	1,128,497	.....	4,871,569	185,654	20,663	80,724	15,043	198,588	9,338,080
Nevada	1	155,000	2,325	129,000	.....	67,547	.....	.....	.....	.....	13,892	367,764
Nebraska Territory	3	200,000	5,042	160,448	.....	721,947	6,231	118,434	22,764	2,614	68,791	1,312,263
Colorado Territory	8	350,000	22,209	226,570	.....	713,640	83,624	.....	22,781	53	92,480	1,461,360
Total liabilities	1,644	\$419,779,739	\$59,997,239	\$291,093,294	\$6,961,499	\$555,179,944	\$27,225,663	\$2,275,384	\$92,755,560	\$24,322,614	\$26,887,323	\$1,506,443,945



## CONDITION OF THE NATIONAL BANKS OF THE UNITED STATES, JANUARY 1, 1867.

## ASSETS.

STATES AND TERRITORIES.	Loans.	Real Estate, etc.	Expense account.	Premiums.	Cash Items.	Due from Nat'l Banks.	Due from other Banks.	U. S. Bonds.	Bills of Nat'l Banks.	Bills of other Banks.	Specie.	Compound Interest.	Other Lawful Money.	Aggregates.
Maine.....	\$10,215,944	\$193,622	\$19,869	\$27,477	\$300,016	\$1,712,902	\$53,377	\$9,894,777	\$242,275	\$27,772	\$33,190	\$853,830	\$653,056	\$24,186,967
New Hampshire.....	8,791,959	94,598	84,295	13,071	153,345	1,216,419	22,292	5,960,350	175,882	6,046	11,480	867,240	260,598	12,113,171
Vermont.....	5,077,477	110,458	84,127	49,912	135,968	1,216,419	31,176	7,680,771	108,381	13,361	45,880	397,502	13,425,765	98,558,629
Massachusetts.....	89,295,244	765,200	148,958	75,324	988,580	7,073,111	189,949	43,259,426	780,317	69,353	285,129	4,007,830	5,291,207	184,662,555
Boston.....	62,891,114	431,351	280,750	72,723	5,058,972	6,271,454	284,974	36,068,700	8,638,815	2,744	1,465,723	12,003,000	784,134	43,151,318
Rhode Island.....	20,923,100	512,424	66,936	66,317	830,093	2,915,409	127,416	14,911,330	24,091	25,091	190,926	1,523,550	1,041,596	61,719,599
Connecticut.....	26,290,161	891,049	79,076	100,658	835,551	5,593,068	401,018	23,440,386	558,092	187,460	834,838	5,801,550	3,857,755	132,106,140
New York.....	58,983,651	453,893	283,274	217,547	2,312,424	11,878,688	626,720	45,121,180	1,047,616	187,460	10,547,117	22,785,940	41,402,117	402,149,036
New York.....	157,967,294	626,887	431,051	637,325	78,758,081	9,583,979	4,136,979	67,973,960	2,228,868	69,488	17,560,080	1,756,080	476,110	18,458,005
Albany.....	6,749,790	237,045	11,855	8,652	1,028,123	8,949,947	208,450	8,715,322	187,051	105,474	19,108	1,443,150	1,610,885	40,011,933
New Jersey.....	17,708,056	543,660	95,831	82,445	613,727	4,475,125	424,495	12,339,016	493,397	29,166	150,997	1,443,150	8,691,074	76,882,141
Pennsylvania.....	2,184,735	896,835	169,973	173,612	760,373	6,861,008	753,245	30,332,156	1,032,588	76,277	110,600	7,405,990	14,212,994	84,088,271
Philadelphia.....	32,517,368	1,074,419	125,797	332,549	1,754,379	8,839,274	723,368	19,958,529	1,152,338	88,026	943,896	1,902,440	1,990,955	27,931,806
Pittsburg.....	11,651,516	411,046	39,072	121,978	895,049	1,836,692	153,999	9,068,500	327,168	19,362	103,731	1,902,440	1,990,955	27,931,806
Delaware.....	2,182,312	108,164	14,895	10,817	81,227	314,591	63,244	2,788,115	110,241	57,281	70,401	1,621,400	2,763,494	32,437,002
Maryland.....	2,692,622	110,436	15,369	28,561	127,734	593,396	63,244	2,788,115	110,241	57,281	70,401	1,621,400	2,763,494	32,437,002
Baltimore.....	14,277,553	412,753	25,238	81,560	823,195	463,610	299,046	9,412,582	729,025	49,826	516,921	1,621,400	2,763,494	32,437,002
Dist't of Columbia.....	85,807	10,700	.....	15,623	3,956	14,669	3,338	177,450	6,774	81	442	7,900	18,626	345,365
Washington.....	1,838,706	215,084	12,817	33,614	88,749	355,241	71,213	2,842,162	96,754	132	70,423	590,810	809,488	6,025,222
Virginia.....	8,396,504	245,103	44,250	35,227	284,364	677,121	113,037	2,742,039	317,586	2,582	107,573	210,580	592,804	8,759,391
West Virginia.....	2,317,743	160,638	21,133	37,498	189,592	668,639	113,450	3,202,225	45,578	77,236	18,757	237,900	424,885	7,515,380
North Carolina.....	659,670	29,563	5,434	15,728	42,198	45,063	57,511	503,100	56,587	2,060	12,449	3,150	166,188	1,598,756
South Carolina.....	852,935	2,005	20,636	.....	101,528	329,716	36,191	173,650	157,631	14,995	7,646	8,510	246,108	1,961,556
Georgia.....	1,989,644	29,034	9,392	35,123	54,334	495,788	185,085	1,925,325	420,182	2,826	19,298	181,160	731,470	6,078,589
Alabama.....	556,555	13,712	1,432	463	849,189	66,140	93,322	641,900	10,308	3,990	75,757	6,500	473,893	2,793,682
Mississippi.....	145,058	18,598	4,935	2,054	1,194	47,038	4,030	95,000	12,338	4,010	5,914	.....	81,697	422,360
Louisiana.....	2,519,816	205,018	4,376	50,028	611,430	571,400	830,159	1,820,400	444,961	66,523	157,404	67,080	1,540,966	8,892,561
Texas.....	878,201	22,177	82,128	11,078	20,612	641,558	92,247	687,050	75,121	.....	378,896	79,570	866,745	2,758,614
Ohio.....	18,098,770	509,499	135,617	93,614	468,301	3,012,374	577,720	18,901,499	598,069	51,164	71,615	2,302,080	8,078,888	47,879,209
Cincinnati.....	6,754,464	112,239	86,003	5,495	132,788	1,030,650	106,186	6,816,500	273,091	5,557	21,686	683,750	745,248	17,725,956
Cleveland.....	3,418,180	38,508	23,648	21,988	81,649	925,453	86,412	2,790,400	985,595	15,949	39,334	493,280	514,025	8,734,421
Indiana.....	13,002,867	434,466	67,938	62,240	214,744	1,351,621	249,981	14,368,337	293,007	105	69,741	1,519,110	2,031,490	33,632,646
Illinois.....	8,462,246	335,966	89,114	36,758	346,924	1,977,955	250,445	7,650,502	329,876	2,088	127,628	899,340	1,975,704	22,001,574
Chicago.....	8,490,327	29,085	43,966	17,210	1,642,503	2,012,070	104,554	5,450,496	777,292	1,078	52,539	1,341,720	1,800,333	21,763,082
Michigan.....	8,909,767	191,628	40,899	31,993	133,881	770,469	52,269	8,891,386	86,147	1,437	16,184	526,280	623,071	10,277,392
Detroit.....	2,797,245	60,635	16,800	1,607	169,584	573,588	77,655	1,505,550	136,352	4,980	667	844,020	579,292	6,226,745
Wisconsin.....	2,474,563	127,202	12,833	86,762	64,971	1,052,696	77,655	2,680,650	89,143	757	18,397	899,730	679,054	7,714,412
Iowa.....	1,619,194	66,394	222	14,344	247,009	413,167	16,551	1,144,800	20,173	348	11,813	330,326	4,236,051	13,555,386
Minnesota.....	2,095,714	187,156	11,010	22,041	181,191	1,021,101	273,730	4,703,178	215,936	16,983	55,543	676,000	1,898,452	18,555,386
Kansas.....	199,461	20,900	12,072	11,160	26,704	98,891	112,276	348,050	31,666	8,229	10,447	825,450	285,581	5,309,585
Missouri.....	9,077,547	386,040	106,406	6,801	56,286	232,475	45,077	1,071,700	63,145	24,551	32,335	158,760	87,161	878,259
St. Louis.....	9,077,547	386,040	106,406	6,801	56,286	232,475	45,077	1,071,700	63,145	24,551	32,335	158,760	87,161	878,259
Arkansas.....	355,060	5,264	6,892	6,411	16,216	257,839	143	254,750	6,456	.....	1,735	19,480	316,050	1,246,256
Kentucky.....	2,114,187	94,863	14,294	30,192	8,210	535,662	93,406	2,001,200	47,121	640	3,075	118,070	349,343	6,415,263
Louisville.....	980,584	22,465	8,789	6,750	2,570	108,899	20,997	1,065,450	10,050	218	1,445	127,050	210,275	2,571,543
Tennessee.....	3,027,798	145,473	51,791	29,715	120,986	933,222	406,193	2,672,088	309,754	1,561	69,064	465,360	1,105,026	9,388,030
Nevada.....	114,920	24,272	.....	.....	.....	.....	.....	155,000	6,265	.....	4,510	10,680	161,880	367,764
Nebraska Territory.....	264,192	48,402	8,244	8,633	9,057	854,370	2,027	894,430	84,729	205	8,976	43,110	135,887	1,312,226
Colorado Territory.....	293,173	97,018	19,670	2,672	16,750	223,874	15,560	464,923	64,790	.....	8,117	5,330	250,453	1,461,360
Totals.....	\$608,411,901	\$18,861,138	\$2,795,322	\$2,852,345	\$101,330,984	\$92,492,446	\$12,981,445	\$443,193,438	\$19,205,584	\$117,6142	\$16,634,972	\$81,925,100	\$104,580,827	\$1,506,448,245



There were, on the 1st January, 1867, 1,644 banks existing under the National Bank Act of the United States; also, 297 under State laws. The combined capital of these 1,941 institu-

tions was, at the same time, \$486,258,464. The number in each State, with the relative capital, is represented in the following tabular statement:

STATES AND TERRITORIES.	NATIONAL BANKS.		STATE BANKS.		TOTALS.	
	No. of Banks.	Capital.	No. of Banks.	Capital.	No. of Banks.	Total Capital.
Maine .....	61	\$9,085,000	8	\$745,000	69	\$9,830,000
New Hampshire.....	39	4,735,000	16	1,147,000	55	5,882,000
Vermont.....	39	6,460,000	9	758,000	48	7,218,000
Massachusetts.....	207	79,832,000	...	...	207	99,832,000
Rhode Island.....	62	20,364,800	22	3,255,550	84	23,620,350
Connecticut.....	82	24,584,220	8	1,976,900	90	26,561,120
New York.....	308	115,954,941	78	15,443,477	386	131,398,418
New Jersey.....	54	11,233,350	16	2,305,125	70	13,538,475
Pennsylvania.....	201	49,100,765	13	1,932,300	214	51,033,065
Delaware .....	11	1,428,185	5	780,000	16	2,208,185
Maryland .....	32	12,640,202	7	2,455,058	39	15,095,260
District of Columbia.....	5	1,850,000	2	579,000	7	1,929,000
Virginia.....	19	2,400,000	...	...	19	2,400,000
West Virginia.....	15	2,216,400	3	484,400	18	2,700,800
North Carolina .....	5	547,750	...	...	5	547,750
South Carolina.....	2	500,000	...	...	2	500,000
Georgia .....	8	1,600,000	...	...	8	1,600,000
Alabama .....	3	500,000	2	1,000,000	5	1,500,000
Mississippi.....	2	150,000	...	...	2	150,000
Louisiana .....	3	1,800,000	7	9,271,800	10	11,071,800
Texas .....	4	548,700	...	...	4	548,700
Ohio.....	136	21,804,700	5	1,137,500	141	22,942,200
Indiana .....	71	12,769,416	16	638,400	87	13,407,816
Illinois.....	82	11,620,000	3	515,000	85	12,135,000
Michigan.....	42	4,985,010	...	...	42	4,985,010
Wisconsin.....	37	2,935,000	16	536,000	53	3,471,000
Iowa .....	45	3,742,000	...	...	45	3,742,000
Minnesota.....	15	1,660,000	2	100,000	17	1,760,000
Kansas.....	3	248,000	...	...	3	248,000
Missouri .....	16	7,489,300	15	2,977,690	31	10,466,990
Arkansas .....	2	200,000	...	...	2	200,000
Kentucky .....	15	2,840,000	40	13,140,525	55	15,980,525
Tennessee.....	11	1,750,000	3	300,000	14	2,050,000
Nevada.....	1	155,000	...	...	1	155,000
Nebraska Territory.....	3	200,000	...	...	3	200,000
Colorado Territory.....	3	350,000	...	...	3	350,000
California.....	...	...	1	5,000,000	1	5,000,000
Totals, United States.....	1,644	\$419,779,739	297	\$66,478,725	1,941	\$486,258,464

The following table is an abstract of quarterly reports of the National Banking Associations of the United States, showing their condition April, July, and October, 1866, and January, 1867:

RESOURCES.	April, 1866.	July, 1866.	October, 1866.	January, 1867.
Loans and discounts.....	\$525,955,516	\$548,216,206	\$601,238,808	\$608,411,902
Overdrafts .....	2,125,009	2,111,237	2,008,695	.....
Real estate, etc.....	15,895,564	16,728,533	17,122,117	18,861,138
Expense account .....	4,927,599	3,030,439	5,298,375	2,795,322
Premiums.....	2,233,516	2,398,862	2,490,891	2,852,945
Cash items .....	105,490,619	96,077,134	103,676,647	101,330,954
Due from national banks.....	87,564,329	96,692,433	107,597,858	92,492,446
Due from other banks.....	13,682,345	13,982,227	12,136,549	12,981,445
Bonds for circulation.....	315,850,300	326,383,350	331,703,200	339,180,700
Other United States bonds.....	125,625,750	121,152,950	94,954,150	88,940,000
Bills of other banks.....	18,279,816	17,866,722	17,437,699	20,381,726
Specie.....	13,854,881	12,627,016	8,170,835	16,634,972
Lawful money.....	193,542,749	201,408,853	205,770,641	186,511,927
Stocks, bonds, and mortgages.....	17,379,738	17,565,911	15,887,490	15,072,738
Aggregates.....	\$1,442,407,731	\$1,476,241,873	\$1,523,493,955	\$1,506,448,245
LIABILITIES.				
Capital stock paid in.....	\$409,273,534	\$414,170,493	\$415,278,969	\$419,779,739
Surplus fund.....	44,637,810	50,151,991	53,359,277	59,967,222
National bank-notes.....	248,886,282	267,753,678	280,129,553	291,093,294
State bank-notes.....	33,800,865	9,902,038	9,748,025	6,961,499
Individual deposits.....	530,233,241	533,290,265	563,510,570	555,179,944
United States deposits.....	29,150,729	36,038,185	30,420,819	27,225,663
To United States disbursing officers.....	.....	3,066,892	2,979,955	2,275,385
Dividends unpaid.....	4,451,703	.....	.....	.....
Due to national banks.....	89,067,501	96,496,726	110,531,957	92,755,561
Due to other banks and bankers.....	21,841,641	25,945,586	26,951,493	24,322,614
Profits .....	30,964,422	29,295,526	32,583,328	26,887,324
Other items.....	.....	40,494	.....	.....
Aggregates.....	\$1,442,408,733	\$1,476,151,874	\$1,525,493,856	\$1,506,448,245



THE EUROPEAN BANK MOVEMENT OF THE YEAR 1866.—*La Finance* estimates that the subscriptions in France, in 1866, amounted to 28,000,000 sterling for foreign loans and railway advances, 12,000,000 more for advances by the societies of Crédit Foncier for the improvement of real property—and a further 12,000,000 for debentures and shares in French railway and other companies: in all, therefore, a total subscription and contribution of 52,000,000 sterling, equal to 1,300,000,000 in francs.

In 1866, the rates of discount at the principal monetary centres of Europe were as follows:

At Amsterdam, the year 1866 opened with a 6 per cent. discount rate. In the 2d week of the year there was an advance to  $6\frac{1}{2}$  per cent., but in the 8th week there was a fall to 6, and in the 11th to  $5\frac{1}{2}$ . In the 18th week, the rate went to 6, and in the 19th to  $6\frac{1}{2}$ . In the 27th week of the year, it further advanced to 7, sinking, however, to  $6\frac{1}{2}$  in the 32d, 6 in the 33d,  $5\frac{1}{2}$  in the 39th, 5 in the 43d, and  $4\frac{1}{2}$  in the 51st week.

Berlin commenced 1866 with a discount rate of 7 per cent., which sunk to 6 in the 8th week, advancing, however, to 7 in the 16th week, and to 9 in the 19th week. In the 29th week, there was a fall to 7, in the 30th week to 6, in the 32d week to 5, in the 44th week to  $4\frac{1}{2}$ , and in the 51st week to 4.

At Bruxelles, there were very few fluctuations. They may be summed up as follows: commencement of the year, 5 per cent., 9th week, 4; 20th week, 5; 22d week, 6; 33d week, 4; and 38th week, 3.

At Frankfort, the rather more numerous fluctuations were: commencement of the year, 6

per cent.; 2d week, 7; 3d week,  $5\frac{1}{2}$ ; 4th week, 5; 7th week,  $4\frac{1}{2}$ ; 10th week, 4; 12th week,  $4\frac{1}{2}$ ; 16th week, 5; 19th week, 6; 20th week, 7; 26th week, 6; 33d week, 5; 34th week, 4; 41st week,  $4\frac{1}{2}$ ; and 46th week,  $3\frac{1}{2}$ .

At Hamburg, there were no fewer than thirty-one changes in the rate of discount during the past year. In the 1st quarter, the fluctuations were from  $4\frac{1}{2}$  to 7 per cent.; in the 2d quarter, from  $5\frac{1}{2}$  to  $8\frac{1}{2}$ ; in the 3d quarter, from  $3\frac{1}{2}$  to  $6\frac{1}{2}$ ; and in the 4th quarter, from  $3\frac{1}{2}$  to  $4\frac{1}{2}$ .

At London, the year opened with a discount rate of 8 per cent., which fell to 7 in the 8th, and to 6 in the 11th week of the year. In the 18th week, the rate rose to 7; in the 19th week to 9; and in the 20th week to 10. This rate continued to the 33d week, when it sunk to 8, declining further to 7 in the 34th week, 6 in the 35th week, and 5 in the 36th week. It afterwards fell to  $4\frac{1}{2}$  in the 39th week, 4 in the 45th week, and  $3\frac{1}{2}$  in the 51st week.

At Paris, discount was kept within very moderate bounds in 1866, the year commencing with 5 per cent., from which there was a fall to  $4\frac{1}{2}$  in the 7th week, 4 in the 8th week,  $3\frac{1}{2}$  in the 12th week, 4 in the 19th week,  $3\frac{1}{2}$  in the 30th week, and 3 in the 35th week.

The aggregate amount of calls made by the Cornwall and Devon Mines from 1862 to 1866 amounted to £1,828,427; the dividends during the same period amounted to £751,713. The year 1864 stands foremost in the list of calls for upwards of £400,000, and during that year the dividends reached £174,907. In 1865 the calls were £331,881, and the dividends £90,596.

## BANK OF FRANCE, FROM 1861 TO 1866.—TWENTY-FIVE FRANCS — £.—LIABILITIES.

DATES.	Circulation.	Bank Post Bills.	Deposits.	Other Liabilities.	Total Liabilities.
1861—April .....	£28,900,000	£600,000	£8,960,000	£9,330,000	£47,790,000
“ December .....	28,630,000	370,000	10,130,000	10,320,000	49,450,000
1862—April .....	33,570,000	680,000	12,490,000	9,250,000	55,990,000
“ December .....	31,260,000	400,000	11,080,000	9,380,000	52,120,000
1863—April .....	31,000,000	460,000	10,260,000	9,250,000	50,970,000
“ December .....	30,200,000	300,000	8,560,000	10,170,000	49,230,000
1864—April .....	30,390,000	240,000	7,330,000	9,910,000	47,870,000
“ December .....	29,690,000	260,000	9,210,000	10,110,000	49,270,000
1865—April .....	31,450,000	270,000	10,460,000	9,740,000	51,920,000
“ December .....	34,580,000	300,000	11,450,000	9,750,000	56,080,000
1866—April .....	35,750,000	290,000	10,590,000	9,630,000	56,260,000
“ December .....	38,320,000	630,000	17,850,000	9,710,000	66,510,000

## ASSETS OF THE BANK OF FRANCE, FROM 1861 TO 1866.

DATES.	Coin and Bullion.	Discounts.	Advances on Ingots.	Advances on Public Stocks.	Advances on Shares.
1861—April .....	£15,120,000	£18,220,000	£1,720,000	£1,090,000	£2,090,000
“ December .....	12,910,000	24,580,000	700,000	930,000	1,800,000
1862—April .....	16,630,000	22,550,000	430,000	5,700,000	2,360,000
“ December .....	12,760,000	22,790,000	240,000	3,480,000	3,730,000
1863—April .....	15,060,000	20,190,000	370,000	3,310,000	3,260,000
“ December .....	8,520,000	24,510,000	520,000	2,030,000	3,110,000
1864—April* .....	8,760,000	25,740,000	580,000	1,260,000	2,330,000
“ December .....	13,100,000	22,570,000	960,000	930,000	1,770,000
1865—April .....	13,190,000	20,810,000	880,000	940,000	1,910,000
“ December .....	17,530,000	25,540,000	930,000	850,000	1,960,000
1866—April .....	20,190,000	23,260,000	760,000	670,000	2,060,000
“ December .....	27,170,000	24,310,000	1,680,000	880,000	2,530,000

\* One of the extraordinary features of this exhibit is the rapid increase in the reserve of coin and bullion from 1864 to 1866.



BAPTISTS. I. REGULAR BAPTISTS.—The *Baptist Almanac* for 1867 gives the following statistics of "regular Baptists" in the United States and in the British possessions of North America:

STATES.	Associations.	Churches.	Communicants.
Alabama, 1860.....	29	808	61,219
Arkansas, 1860.....	16	321	11,341
California.....	2	45	1,854
Connecticut.....	7	114	17,818
Delaware.....	..	5	639
District of Columbia.....	..	6	1,229
Florida, 1860.....	6	134	6,483
Georgia, 1860.....	38	994	84,567
Illinois.....	30	571	36,591
Indiana.....	31	460	26,731
Indian Territory.....	..	..	..
Iowa.....	17	270	13,385
Kansas.....	4	46	1,119
Kentucky.....	47	944	81,631
Louisiana.....	10	209	10,264
Maine.....	13	272	19,677
Maryland.....	1	35	4,545
Massachusetts.....	14	264	35,760
Michigan.....	13	237	14,641
Minnesota.....	6	112	3,086
Mississippi, 1860.....	22	598	41,610
Missouri, 1860.....	37	749	44,877
Nebraska.....	1	10	270
New Hampshire.....	7	84	7,718
New Jersey.....	5	126	19,119
New Mexico, 1864.....	..	1	49
German & Dutch churches in the United States...	2	76	3,245
Swedish churches in the United States.....	1	13	600
Welsh churches in the United States.....	3	34	1,400
New York.....	45	826	89,197
North Carolina, 1860.....	27	696	60,532
Ohio.....	30	484	32,504
Oregon.....	4	41	1,330
Pennsylvania.....	18	421	42,680
Rhode Island.....	3	56	8,408
South Carolina, 1860.....	18	473	62,984
Tennessee, 1860.....	24	663	46,564
Texas, 1860.....	22	456	19,089
Vermont.....	7	107	7,690
Virginia, 1860.....	20	668	104,014
West Virginia, 1860.....	7	103	4,874
Wisconsin.....	14	163	8,337
Total in the U. States.	605	12,675	1,043,641
Nova Scotia.....	3	156	15,825
New Brunswick.....	2	118	8,915
Canada.....	10	221	14,767
West India Islands.....	4	300	40,000
Grand total N. America	624	13,470	1,123,148

The annual meeting of the Baptist Benevolent Associations took place, in 1866, in Boston. The following is a brief summary of the operations of the societies and of their present condition:

1. *American Baptist Missionary Union* (established in 1814).—Receipts \$175,354.32; expenditures, \$173,484.57; balance in treasury, \$1,869.75. There was also expended from the Jubilee Fund \$15,756.78, making the total pay-

ments \$189,241.35. Missions reported the preceding year, 20. Two were transferred to the Home Mission Society, and one received from the Publication Society, making present number, 19. In the Asiatic missions are 15 stations where American missionaries reside, and about 400 out-stations; in the European missions, including France, Germany, and Sweden, at the end of 1864, there were reported not far from 1,300 stations and out-stations, and the number is constantly increasing. American missionaries connected with the Asiatic missions, including those at present in this country, in all 83: males, 40; females, 43. Native preachers and assistants, not far from 500; of whom 50 are ordained. In Europe, preachers and assistants, not far from 200. Whole number baptized in 1864, in Europe, 1,911; in Asia, 761; total, 2,672. Members at the close of 1864, not far from 36,000, leaving out about half of the Toungoo churches previously reckoned, and the Rangoon Sgau Karen Association, from which no return had been received. The President of the Society is Hon. Ira Harris, New York. On motion of the committee on finance, it was resolved to raise \$200,000 to meet the expenses of the coming year. This was rendered necessary on the assumption by the Union of the Swedish mission. The report of the committee on European missions recommended that the full amount of \$8,000 be appropriated for the purpose of building and maintaining chapels in Sweden, Germany, and France. The report was adopted.

2. *American Baptist Publication Society* (established in 1824). Total receipts for the year, \$173,321.47; expenditures, \$169,678.79; balance in treasury, \$3,642.68. There have been fifty-two new publications issued during the year. Including the annual report and *Almanac*, the aggregate number of copies of new publications issued during the year is 69,175. The new editions of former publications are as follows: of books, 227,000 copies; of tracts, 223,000. The total issues for the year have been, of books, tracts, etc., 519,175 copies, equal to 38,764,017 18mo pages; *Young Reaper*, 1,624,000 copies; *National Baptist*, 264,950 copies; making a total of 2,408,125 copies. This exceeds the issues of last year by 20,939,167 pages. The Society has printed, of books, tracts, and periodicals, since its organization, 23,112,259 copies, containing matter equal to 651,976,754 pages in 18mo. Forty-eight colporteurs have been in commission during the year.

3. *American Baptist Home Mission Society* (established in 1832).—Receipts for the year, \$137,810.16; expenditures, \$135,822.00; balance in treasury, \$1,988.40. Two hundred and sixty-five missionaries and sixty-two assistants have been under appointments since the last anniversary. One hundred and eighty-two of this number were new appointments. They have labored in thirty-seven States and Territories. There has been received for the freed-



men's fund the sum of \$21,386.21, and \$40,000 appropriated for the benefit of the class for which the fund is intended. Twenty-five white and ten colored, with sixty-two assistant missionaries, are laboring among the freedmen under the direction of the Society. The Society adopted a resolution instructing the Executive Board to continue their work among the freedmen using every facility in their power, and to give such religious instruction to colored preachers as might be deemed consistent with discretion.

4. *American and Foreign Bible Society*.—The receipts of the treasury from all sources, including small balance on hand at the commencement of the year, amount to \$40,896.40. Books printed from their own stereotype plates, by direct purchase, and by donations to the Society from other sources, full and parts of Scriptures, 21,286. Books issued from the depository, 26,379; gratuitously, for the army, navy, for freedmen, to poor churches, Sunday-schools, State prisons, etc., 22,165 copies. The committee to whom was referred the question of union with the American Baptist Publication Society, reported that they found difficulties in the way, and referred the subject back to the Board, with a recommendation for a general conference. After considerable discussion, the subject was indefinitely postponed. The committee of five, to whom was referred the question of uniting with the Bible Union, reported that it was both desirable and practicable, and such a union should take place; but on taking a vote, the proposed resolution in favor of a union of the two societies was defeated.

5. *American Baptist Free Mission Society* (established in 1843).—The twenty-second anniversary of this Society was held at Chicago, Ill., May 30, 31, 1866. Receipts for the year, \$26,042.30; expenditures, \$25,212.21; balance, \$831.09. The Board has flourishing missions in Japan, Rangoon, and Bassein, Burmah. Number of laborers among the freedmen in the Southern States, twenty-nine.

6. *The American Baptist Historical Society* (established in 1853), had added during the last year 620 volumes; cash receipts, \$399.45. The library now comprises 2,590 volumes, and 11,000 pamphlets, besides 100 volumes of portraits, views of Baptist edifices, and historical manuscripts.

7. *The French Regular Baptist Missionary Society* (established in 1863) labors among the French in Canada and the United States, by means of pastors, evangelists, the press, and the training of young men for the missionary work, and it now sustains two missionaries.

The Southern Baptist Convention met in May, at Russellville, Ky. It was the general opinion of this body that there should be no fusion between the societies of the Northern and the Southern Baptists; but that the Foreign and the Domestic Mission Boards of the Southern Baptist Convention should continue their existence as heretofore. At the beginning of the war the Foreign Board had about thirty-five mis-

sionaries in the field. This number was greatly reduced in consequence of the difficulty of transmitting funds during the war, but the work was not abandoned, and it was resolved by the convention to continue it with new zeal. The Domestic Mission Board, located in Marion, Ala., kept in the field through the war more than one hundred missionaries, and now they propose, with new vigor, to prosecute their work.

The colored Baptist churches in the Southern States organized a number of separate associations, which put themselves in communication with the Northern societies. Colored churches of nearly all the States were represented at the annual meeting of the "American Baptist (African) Missionary Convention," which in August met in Richmond. The convention thanked the Northern societies for the aid given them, and earnestly asked the continuance of their coöperation in the future.

A convention of the Baptists and "Disciples" (Campbellites) of Virginia met at Richmond, on April 24th, and continued in session until the 27th, for the purpose of discussing the feasibility of a union. Its meetings were strictly private. At the close of the convention it was resolved, at least for the present, not to publish its minutes; but Dr. W. F. Broadus and Elder J. W. Goss were requested to prepare and publish, over their own signatures, a brief address to the Baptists and Disciples of Virginia, setting forth the results of the conference. Most of the Baptist papers were decidedly opposed to the holding of the conference, and after the publication of the address by the committee, the opinion generally prevailed that no result could for the present be expected.

II. FREE-WILL BAPTISTS.—This denomination has a Biblical school at New Hampton, N. H.; colleges at Hillsdale, Mich., Lewston, Maine ("Bates College"), and Wasioga, Minnesota ("Northwestern College"). The "Free-will Baptist Printing Establishment," at Dover, N. H., publishes a *Quarterly Review*, the *Morning Star* (weekly), and the *Myrtle* (Sabbath-school paper, semi-monthly). In Nova Scotia, where the Free-will Baptists have been for many years divided into two branches, the two bodies, namely, the "Free Christian Baptist General Conference," and the "Free-will Baptist Quarterly Meeting," met on November 29th, at Barrington in convention, for the purpose of consolidation, and successfully accomplished their object. The united body will be called the "Free-will Baptist Conference of Nova Scotia."

According to the *Free-Will Baptist Register* for 1867 (Dover, N. H.), the statistics of this denomination were, in 1866, as shown in the following table. It will be seen there was an increase over the preceding year of twelve churches, fourteen licentiates, and two thousand one hundred and eighty-two communicants:



YEARLY MEETINGS.	No. of Q. M'ngs.	No. of Churches.	Communicants.
New Hampshire.....	9	140	8,929
Maine Western.....	4	71	4,326
Kennebec.....	6	105	6,180
Penobscot.....	8	107	3,345
Vermont.....	6	62	2,648
Rhode Island and Mass.....	3	40	4,188
Holland Purchase.....	6	35	1,816
Genesee.....	5	28	1,318
Susquehanna.....	5	36	1,285
N. York and Pennsylvania...	4	41	966
St. Lawrence.....	2	14	477
Union.....	2	14	662
Central New York.....	5	43	2,007
Pennsylvania.....	3	11	500
Ohio and Pennsylvania.....	6	38	1,450
Ohio Northern.....	4	15	494
Ohio.....	2	10	575
Ohio River.....	3	39	2,027
Marion, Ohio.....	3	15	665
Indiana.....	2	10	316
Northern Indiana.....	4	20	522
Michigan.....	10	97	3,304
St. Joseph's Valley.....	5	18	570
Illinois.....	8	54	1,845
Wisconsin.....	10	84	2,566
Iowa.....	3	17	692
Iowa Northern.....	4	23	721
Iowa Central.....	2	7	100
Canada West.....	3	19	713
Minnesota.....	5	30	597
Q. Meetings not connected...	5	11	320
Churches not connected.....		7	134
Total, 31.....	147	1,264	56,258

III. SEVENTH-DAY BAPTISTS.—This body numbers 7,014 members, 33 pastors, and 68 churches. By the minutes of the General Conference, held in September, at Alfred, N. Y., it appears that the churches are most numerous in New York and Wisconsin. The report of the Missionary Society shows contributions to the amount of \$2,302.42 during the past year, and an accumulating fund amounting to \$7,268.74 in the treasury. The missionary work is chiefly carried on in our own country, though the report contains a reference to foreign missionary work prosecuted with some degree of success in China, at Shanghai, and neighboring stations. This denomination maintains also a Sabbath Tract Society, and an Educational Society, under whose care the university at Alfred, in New York, is maintained.

IV. TUNKERS (German Baptists).—This denomination, which has 200 churches, 150 ministers, and 20,000 members, held its annual meeting from May 18th to May 24th, near Waynesboro, Pa. The meeting was composed of delegates from all their churches scattered throughout the United States. A correspondent in the *German Reformed Messenger* says of the meeting: "The business transactions consisted in rendering decisions on the practical questions that the times and circumstances constrained them to consider. One

question was, whether it was right to adopt the habit of voting, in order to arrive at the sense of the majority, and thus come to a decision on any subject. The question was answered in the negative, inasmuch as voting was a custom that belongs to the world. The manner in which they come to decisions is something like this: A committee of fifteen is appointed, to whom all questions must be previously handed. This committee then refers each question to a sub-committee, which sub-committee frames a decision to the particular question referred to them; being approved by the committee, both question and answer are then presented to the assembly through the president thereof, who at the same time asks their opinion. Their approval is manifested by nodding, their disapproval by shaking the head. When any signs of disapproval are manifested, discussion ensues; but yet the answer previously given stands, and the president pronounces it passed. Some of the questions thus decided at this meeting are the following: 'Shall we receive colored persons into the church, and shall we salute them with the holy kiss?' It was decided that they should be received into the church, but that all the members were to be left to their own choice and taste in regard to saluting their colored brethren, with the understanding, however, that all who refuse to do so were to be regarded as weak. One of their members out West leased a piece of ground to an agricultural society for a number of years. Was it right for him to do so? The answer was, 'No! as he thereby helps to foster the spirit of pride.'"

V. Other denominations that practise immersion are the "Anti-Mission Baptists," "Six-Principles Baptists" (18 churches, 16 ministers, 3,000 members); "Disciples" (1,500 churches, 1,000 ministers, 30,000 members); "Church of God" (Winnebrennarians). (*See CHURCH OF GOD.*)

VI. GREAT BRITAIN.—In Great Britain, the annual session of the Baptist Union was held on Monday, April 23d. The report stated that the labors of the Union had been proceeded with during the past year with encouraging, if not entire, satisfaction. By slow degrees a tolerably exact account of the members of the Baptist churches was obtained. Last year 1,893 churches reported 198,295 members in communion. This year 2,023 churches had made returns, and reported in all 209,773 members, being an excess over last year of 11,478. This was not to be considered as so much clear gain, as 130 churches had now reported for the first time; and as these 130 churches returned a membership of 6,505, the actual increase, as near as it could be reached, was 4,973, a number under the mark, as 400 churches, but mostly very small ones, still remain altogether unreported. Between October, 1864, and October, 1865, fifty-six new chapels were erected, supplying sittings for about 25,000 persons, at an aggregate cost of £88,787, making a total expenditure of



£115,271 in this direction alone. Besides, 25 new churches had been originated during the year.

The annual meeting of the Baptist Missionary Society was held in London, on April 26th. The annual report stated that the receipts of the year had been £27,016, and the expenditures, £30,113.

VII. CONTINENT OF EUROPE.—The statistics of the Baptist churches on the Continent of Europe, in connection with the American Baptist Foreign Mission Society, were, in 1865, as follows:

	Churches.	Stations and Outstations.	Members.
Germany.....	63	894	11,239
Denmark.....	19	98	1,702
Holland.....	1	1	36
Switzerland.....	1	12	269
France.....	1	5	97
Poland.....	1	14	268
Russia.....	2	17	607
Total.....	88	1,041	14,218

The Baptist mission in Sweden, which had hitherto been under the care of the American Baptist Publication Society, was, on March 1, 1866, transferred to the American Baptist Missionary Union. The churches in Sweden continue to make rapid progress, and at the close of the year 1865 there were 176 churches, with 6,606 communicants in nine associations.

VIII. ASIA.—In the Asiatic divisions of the American Baptist Missionary Union, there were, in 1865, fifteen stations where American missionaries reside, and about 400 out-stations. Of American missionaries connected with the Asiatic missions, there were 84: 41 males and 43 females. Of native preachers and assistants in these missions there were not far from 500, fifty of them being ordained ministers.

BAVARIA, a kingdom in South Germany. King Ludwig II., born August 25, 1845, succeeded his father, Maximilian II., on March 10, 1864. At the outbreak of the German-Italian war, Bavaria had an area of 28,435 square miles and 4,774,464 inhabitants. By the treaty of peace, concluded with Prussia, Bavaria ceded to Prussia 211 square miles and 32,470 inhabitants. The capital, Munich, had, in 1864, 167,054 inhabitants. The army, in time of peace, numbers 73,158 men; in time of war, 96,515; the reserve consists of 124,721 men. In the complications arising between Austria and Prussia early in 1866, the Bavarian Government endeavored to bring about a reconciliation between the two powers. When these endeavors failed, Bavaria, with most of the middle states, took side with Austria. It began to arm on April 2d, and on June 14th, plenipotentiaries of Bavaria and Austria signed the convention of Olmutz, regulating the force and the movement of the Bavarian troops in the impending war, the chief command of the contingents of South Germany, and the re-

lations of Austria and Bavaria to each other. (See GERMAN-ITALIAN WAR.) Bavaria concluded peace with Prussia on August 22d. Bavaria is one of the states of Germany not included in the North-German Confederation, but were left at liberty to form a South-German Confederation.

BEAUMONT, DE LA BONNIERE, GUSTAVE AUGUSTE DE, a French publicist, born February 6, 1802, in the Department of Sarthe; died in Paris, February 22, 1866. He was educated for the law, and was made procurator-substitute in the superior tribunal of the Seine, but lost this office after the July revolution. In 1831 he was commissioned, with Alexis de Tocqueville, to visit the United States, in order to study the penitentiary system established here; and the result of their investigations was a report, which has become a standard work on the subject, *Du Système Pénitentiaire aux États-Unis*. Upon the return of M. Beaumont to Paris, he received a place under Government, but was soon deposed, as he refused to conduct the prosecution in the scandalous process against the Baroness de Feuchères. In 1840 he was elected to the Chamber of Deputies for the Department of Sarthe, and distinguished himself as a member of the so-called dynastic opposition, favoring electoral reform in 1847. Subsequently he was appointed by General Cavaignac ambassador to England. After the Revolution of 1848 he was returned as a member of the Legislative Assembly, and here maintained the character of a sincere republican. In 1851 he was arrested and imprisoned for some time in the fortress of Mont Valérien, and on regaining his liberty, retired to his patrimonial estate, where he afterward resided. Besides his important work above mentioned, he was the author of *Marie, ou l'Esclavage aux États-Unis* (2 vols., 1835), and *L'Irlande, Sociale, Politique, et Religieuse* (2 vols., 1839). M. de Beaumont was a grandson of General Lafayette.

BECK, CHARLES, Ph. D., LL. D., formerly professor of the Latin language and literature in Harvard University, born at Heidelberg, Baden, Germany, August 19, 1798; died at Cambridge, Mass., March 19, 1866. His father, a merchant of Heidelberg, died while the subject of this sketch was still young, and his mother was subsequently married to Dr. De Wette, the eminent theologian, then professor in the University of Heidelberg, and afterward in the University of Berlin. Young Beck was educated at the latter institution, where he became an accomplished classical scholar, and entering upon the study of theology, was ordained in his native city, July, 1822, and the following year received the degree of doctor of philosophy and master of arts from the University of Tübingen. After completing his theological studies he was employed for some time as tutor at the University of Basle, Switzerland; but his republican sentiments, which in his own country had subjected him to false accusations of conspiracy against its monarchical institutions, rendering his liberty even here in danger, he was com-



pelled to seek refuge in the United States, and accordingly arrived in New York in December, 1824. Soon after he became connected, as teacher, with the Round Hill School at Northampton, Mass., until in 1830, he, in connection with two other able teachers, established a school at Phillipstown, on the Hudson, opposite West Point. In 1832 Prof. Beck was elected to the chair of Latin language and literature at Cambridge—an office which he held with entire acceptance for eighteen years—discharging its duties with unvarying fidelity, and a zeal and dignity which won the love and respect of all with whom he came in contact. Upon his retirement from the professorship he devoted himself to literary pursuits and classical studies, some of the fruits of which appeared in a work of great research, published three years since, entitled “The Manuscripts of the Satyricon of Petronius Arbiter, described and collated.” In 1843 Dr. Beck was chosen a member of the American Oriental Society; in 1845 of the American Academy of Sciences, and in 1865 received the degree of LL. D. from Harvard University. He was also for two years a Representative of Cambridge in the State Legislature, and did good service in other offices of a more private character in the town and neighborhood. He was a man of large views and high public spirit, and though, more than most men, delighting in the leisure for literary pursuits, he was ready for any sacrifice which might accrue to the benefit of the city, State, or Republic he had adopted as his own. He was specially interested in the charities created by the war, the Soldiers’ Fund, the Sanitary Commission, and the agencies for the care and education of the Freedmen, in whom he felt not only the common interest of humanity, but that of an American patriot.

BELGIUM, a kingdom in Europe. King Leopold II., born April 9, 1835, succeeded his father, Leopold I., on December 10, 1865. Heir apparent, Prince Leopold, born February 18, 1858. Area, 11,313 English square miles; population, according to census of 1864, 4,940,570.

The budget of 1866 (which has been voted by the Chambers) fixes the receipts at 164,043,290 francs, and the expenditures at 158,579,256 francs. Public debt on May 1, 1866, 676,749,514 francs. The Belgian army, according to the latest statement, consisted of 86,272 men. The imports in 1864, amounted to 688,878,000 francs; the exportations to 596,893,000 francs. The movement of shipping during 1863 was as follows: Arrivals, 4,130 vessels, with 794,596 tons, of which there were 863 Belgian vessels, with 87,358 tons; clearances, 4,116 vessels, with 779,223 tons. The merchant navy, on December 31, 1864, consisted of 107 vessels, together of 34,977 tons.

In March an Electoral Reform Bill was adopted by both Houses of the Legislature, which augments the number of representatives by eight, namely, two for Brussels, and one each for Antwerp, Louvain, Charleroy, Phillippeville,

Liege, and Alost; and the number of senators by four, namely, one each for Brussels, Luxembourg, Mons, and Ghent. The state elections held in June, resulted favorably to the Liberal party, increasing the ministerial majority in the Senate, which was previously eight, to twelve, and in the House of Representatives, where it was before the elections twelve, to eighteen. The new Chambers were opened on November 13th, by the king in person. The king announced that Belgium’s relations with foreign powers were of a most friendly character, and said: “In the midst of the great events which have disturbed a great part of Europe, Belgium has remained calm and confident, deeply impressed with the rights and duties of neutrality. This neutrality she will continue to preserve in the future as she has done in the past, with sincerity, loyalty, and strength.” The king then announced that several bills would be laid before the Chambers in reference to the abolition of imprisonment for debt, the amendment of the laws on detention of prisoners whilst under accusation, the extradition laws, the removal of the restrictions on the gold and silver manufacture of articles. The king also announced the conclusion of a treaty of amity with Japan. In reference to the recent rifle meeting at Brussels, he said: “The Tir National has furnished the Belgian militia with an opportunity of fraternizing with the militia of neighboring countries. Belgium will be happy to see renewed on her soil those peaceful contests, in which are engendered relations of mutual friendship and esteem, which the future can but extend and fortify.” The king concluded his speech as follows: “To accomplish the tasks of Government I need the loyal concurrence of the Chambers. May all hearts at the commencement of this new reign remain united in love of our country and its institutions!”

On February 25th the Count of Flanders, brother of the king, received from the Legislature of Roumania (the Danubian Principalities) an offer of the crown of that country. The Belgian Minister of Foreign Affairs on the same day officially announced to all the Belgian legations and the consulate of Bucharest that the prince definitively refused this offer. In the latter months of the year, a difficulty arose with Holland, with regard to the question of the Scheldt dues. M. Rogier, the Minister of Foreign Affairs, stated in the Senate, on December 22d, that if Holland refused to recognize the rights of Belgium, the Government would refer the question to the guaranteeing powers.

BLUNT, EDMUND, an eminent hydrographer, assistant surveyor of the U. S. Coast Survey; born in Newburyport, Mass., November, 1799; died in Brooklyn, N. Y., September 2, 1866. He was a son of Edmund M. Blunt, author of the “American Coast Pilot.” In early life he manifested a decided taste for practical mathematics, and, when scarcely seventeen, made the first ac-



curate survey of the harbor of New York. In 1819 and the year following, he made the first survey of the Bahama Banks, and the shoals of George and Nantucket, and in 1824 surveyed the entrance of New York harbor from Barnegat to Fire Island. In 1825 and 1826 he ran the line of levels from the river San Juan to the Pacific Ocean, for the purpose of building a canal on the Nicaragua route. From 1827 to 1830, as a private enterprise, he surveyed Long Island Sound from New York to Montauk Point, the Government up to that period having taken no steps toward developing a knowledge of the coast of the United States. On the organization of the United States Coast Survey in 1832, he was appointed assistant, holding that position up to the time of his death. In 1855 and 1856 he furnished the points to determine the exterior line of New York harbor. While on the Coast Survey, his attention was directed to the inferiority of the lights in the American light-houses, and he was the proposer and advocate of the introduction of Fresnel's system of signal-lights, which has since contributed so largely to render our light-house system the best in the world. He was also a mechanic of great inventive genius, as is evinced by the dividing-engine, built from his plan and under his direction.

BOLIVIA, a republic in South America. Provisional President, Mariano Melgarejo (since December, 1864). The frontiers of the republic not being yet regulated, the area is differently estimated from 22,500 to 39,638 geographical square miles. The population was, in 1858, estimated by J. Ondarza, a Bolivian geographer, at 1,742,352, exclusive of 245,000 savage Indians; making a total of 1,987,352. The army consists of about 2,000 men, besides the national guard. The receipts of the republic amounted, in 1864, to 2,471,000 piastres, and the expenditures to 2,435,000. The civil war, which disturbed Bolivia throughout the year 1865, was brought to a close by the decisive victory of President Melgarejo over his opponents at Viacha, near La Paz, in January, 1866. Bolivia joined the alliance of Chili and Peru against Spain, and, like her allies, expelled all the Spanish residents from her territory. When the secret triple alliance concluded, in 1865, between Brazil, the Argentine Republic, and Uruguay became known, Bolivia deemed it her right to enter an energetic protest, as the treaty assigned to both the Argentine Republic and Brazil a piece of territory which has always been claimed by Bolivia. The following are the most important portions of this protest:

OFFICE OF FOREIGN AFFAIRS (Bolivia),  
LAJA, July 6, 1866. }

SENOR: \* \* \* It appears strange to the Bolivian Government that the high allied powers, in settling the basis as to what extent of territory they are to take from the republic of Paraguay, their common enemy, should comprise therein a large portion of Bolivia, as they actually do in the sixteenth article of said treaty, which assigns to the Argentine Confederation that vast extent of country embraced on the west bank of the Paraguay, in what is known as

the Gran Chaco, all of which is exclusively and unquestionably Bolivian by right. At the same time they recognize in a manner most offensive to the nation and Government of Bolivia a right in favor of Brazil to the possession of that strip of country comprised between the Bahia Negra and the river Jaurú, on the right bank of the aforesaid Paraguay River. \* \* \* \* \*

The Government of Bolivia, owing to its bounden duty to maintain and defend the dignity and integrity of the nation, cannot pass unnoticed an act of such great and such weighty consequences as this unheard-of violation of the public law of nations. But it cannot be persuaded that the governments making this treaty could have wished to present to the whole civilized world so scandalous an example as is given in these articles which sanction as just the use of force as well as usurpation.

The Government of Bolivia unhesitatingly asserts its belief that said treaty may have a false and spurious origin. Under this supposition his excellency the Provisional President of the republic, who is anxious to have official information concerning the falsity or authenticity of the said treaty, has ordered that I should address your excellency on the subject; and I hope that this request will be received as a new proof of the uninterrupted good relations that unite both governments. I take occasion, etc.,

JOSE RAYMONDO TABORGA.

To SEÑOR JOSÉ ANTONIO SARAIVA, Minister for Foreign Affairs of the Empire of Brazil.

Bolivia maintains that her eastern limits reach to the Paraguay River, and run from the mouth of the Jaurú, through the centre of the main channel of the Paraguay in the dry season, following its course through the swamps de los Jarayes, far to the southward of the Bahia Negra (Black Lake, or Lake Negro, as our atlases call it). From the mouth of the Jaurú, the line runs directly northwest until it meets the waters of the Guaporé at a point opposite the mouth of the Sararé.

The long dispute with Chili concerning the southwestern frontier which, for twenty-three years, had threatened the peace between these republics, was settled, in 1866, by a treaty. During the past few years the conflict had assumed a very threatening aspect. Some Frenchmen had discovered that the land was rich with guano, and desired to work it; but in the disputed state of the title they could not get possession with any certainty of being able to work it long enough to realize a fair return. They, therefore, offered to lend to Bolivia three millions of dollars for the right, and furnish arms, etc., the money thus loaned to be expended in purchasing ships for the defence of the coast of Mejillones. General Santa Cruz, an enemy of Chili, was at that time Bolivia's representative at Paris, and he agreed to the transaction. The deposits were to be worked on the joint account of the French firm and Bolivia. Thus matters stood when the war with Spain broke out. Bolivia concluded to join the alliance of Chili, Peru, and Ecuador against Spain. A result of this alliance was that a treaty has been drawn up between the two countries; by which the boundary line is definitely settled at 24° south, thus dividing the disputed territory and the deposits at the same time. The French firm, Arnaud by name, agreed to advance a



loan to each of the republics of \$3,000,000, making \$6,000,000, for the privilege of working the deposits under a triple partnership, viz.: Chili, Bolivia, and the French firm, each taking a fair share of the profits. By this course of action a war was prevented between the two nations; a large loan was given to each; unity of feeling was engendered, and the danger of foreign interference prevented.

**BONE-BLACK, REVIVIFICATION OF.** Mr. H. Medlock, treating of this subject in a brief but very satisfactory article in the *Chemical News*, of February 17, 1865, notes the fact that the principal source of expense in a sugar refinery (see SUGAR, MANUFACTURE OF, etc.) is that of the animal charcoal; so that, to the refiner commencing with new black [some loss continually being of course involved, still] it is a great desideratum to have the means of keeping the bulk of the material in a condition of unimpaired decolorizing power.

In bone, the phosphate of lime forms a structure showing innumerable and almost microscopic cells; while the gelatine enters these, and binds the whole also into one mass. Of the whole, the gelatine constitutes about .310, the phosphate of lime .631, and the other salts .059 parts. In charring (distilling) the bone, the gelatine is decomposed, giving off volatile matters, leaving the bone finely porous, and each cell and pore lined with particles of minutely-divided carbon. Although the specific physical or chemical principle involved in the decolorizing and purifying of syrups and like liquids by bone-black is not yet clearly understood, it is, at least, known that the admirable fitness of the black for the refiner's use is to be explained by the fact of its detaining and withdrawing from the syrups, up to the point at which its capacity in this respect becomes saturated, both the materials which impart color, odor, or fermenting tendency, and also various metallic oxides and salts which such liquids contain.

When, from such absorption, the purifying capacity becomes saturated, and lost, the cause is commonly assumed to be that the carbon particles have become coated over with the albuminous and other gummy matters of the solution, and the porosity of the black thus impaired. Mr. Medlock admits this to be one cause; but, as has recently been urged by Leplay and others, he, too, regards as the principal cause the accumulation in the pores of lime (and of course its carbonate also) from the sugar solution. This view is supported by the facts that the mere repeated reburning of the bone-black, although this must remove all organic matters the latter has retained, does not completely restore its purifying power; and that, under such treatment alone, any bone-black eventually becomes worthless. Corenwinder, an eminent German chemist, has stated as axiomatic the principle that, "The decolorizing power of charcoal in sugar-refining is correlative to its power of absorbing lime." And it has been calculated that the lime—the remains of that used in treating

the cane-juice—already in the raw sugars refined in England, amounts to from 7 to 10 lbs. to the ton.

The modes that may separately be resorted to for restoring the power of bone-black, are those of—1, washing it with hot water; 2, charging with water and leaving several days to ferment; 3, washing with very dilute chlorhydric acid; 4, exposing to the slow action of air and moisture; 5, reburning, that is, heating in closed retorts, to redness. Commonly two of these modes are combined, as, by washing with water and then reburning; or, fermenting, drawing off the liquid, and then replacing it with fresh, acidulated with  $\frac{1}{4}$  to  $\frac{1}{2}$  per cent. of chlorhydric acid. This, and a little acetic acid formed during fermentation, dissolve out some of the retained lime; but they also attack the lime-salts of the bone, rendering the latter friable and causing waste.

Ure (*Supplement*) describes four modes of reburning bone-black; namely, 1, the common method of burning in iron pipes, in which, however, the black is liable to be unequally acted on, and the pipes to be destroyed by corrosion; 2, that of Parker, improved by Chantrell, of burning in fire-clay chambers, not liable to be corroded, and which is now coming into more general use; 3, Mr. Torr's method of burning in rotating cylinders; and, 4, that of MM. Laurens and Thomas, of reburning in a proper apparatus by superheated steam. The latter two, though expensive, both give excellent results. The authority just quoted also remarks: "To reburn charcoal, the best methods are those which most rapidly remove the water, raise the temperature of each grain of charcoal to a uniform temperature (*sic*) of 700° F., and which admit of its being readily cooled without contact with the air."

Some years since it was a quite general practice to use the same black (wastage excepted) for a period of six months, more or less, returning every day the portions used on the preceding, or, as often as the decolorizing power failed. At the end of such period, the charcoal was laid aside as no longer available; and latterly, it has then commonly been employed for the making of "superphosphate of lime," for fertilizing. The plan now resorted to by many refiners, is that of washing the black, as it comes from the filters, with water, then reburning, sifting out occasionally such fine dust as will to some extent necessarily result, and as the water may not have removed, and then returning again into the filters; varying this course, however, as often as may be judged necessary, with a view to freeing the black more effectually of lime, by removing the contents of the filters after use directly into "fermentation tanks," adding water acidulated with a little (about one-half of one per cent.) chlorhydric acid, and allowing to ferment for seven days; then drawing out and washing, in order to remove the chloride of calcium which has resulted from action of the acid on the absorbed lime; when, finally,



the coal is reburned as before, and returned to the filters. Such a method being properly carried out, there is no necessity of throwing aside the charcoal after a stated period; but its use is continued until, being gradually removed in form of fine waste, it must be replaced by new.

*Leplay and Cuisinier's Process, with Steam, and Alkaline and Acid Solutions.*—The authors named presented before the Academy of Sciences, Paris, on the 10th of February, 1862, a new theory of, and process for, the revivification of bone-black. They had found that the common supposition, to the effect that the black loses and again has restored within it, at the same time, its absorptive powers for *all* the different sorts of impurities, is erroneous; that such powers are not simultaneously exhausted; that, when exhausted, they can be revived in succession, and require different means; and that, in the process of reviving, the total absorbing power of the black can be *increased*.

Thus, the authors state that the absorption for the viscid, azotized, ammoniacal, sapid, and odorous matters in a saccharine solution is exhausted in about four hours' time [referring evidently to the case of beet juice and syrups, in which such matters abound], and is to be restored by passing a blast of steam through the charcoal in the filter, as may be done an indefinite number of times; that the absorption for free alkalies, lime, and salts, is exhausted in from 24 to 32 hours, and is to be restored by pouring on the charcoal in the filter a weak solution of chlorhydric acid, and afterward washing thoroughly with water; that, if the black were not sooner revived, the absorption for coloring matters would be lost in a period from 30 to 40 times as long as the first—a power, to aid in restoring which, a weak boiling solution of a caustic alkali [or of its carbonate, as of soda] is to be applied. All the operations indicated can be performed on the charcoal directly as it stands in the filters; or, if it be removed from them, in similar receptacles. Finding, moreover, that the *bibasic* phosphate of lime ( $2\text{CaO}$ ,  $\text{HO} \cdot \text{PO}_5$ ), while it is mainly insoluble in water, possesses a much higher absorbing power for the impurities in syrups than does the *tribasic* phosphate ( $3\text{CaO}$ ,  $\text{PO}_5$ ) naturally present in the bone, the authors complete their process by pouring upon the charcoal in the filters a dilute solution of the *monobasic* phosphate of the same base ( $\text{CaO}$ ,  $2\text{HO} \cdot \text{PO}_5$ , known also as the "biphosphate"): by reaction of the two salts thus commingled, some *bibasic* phosphate results in the coal; and, though the addition may in part have in view the restoring of absorbent power lost through the previous action of chlorhydric acid on the bone, yet it is stated that, as the actual result, the decolorizing and purifying powers of the latter are made even greater than when it was fresh, and than after any mode of merely reburning.

MM. Leplay and Cuisinier have also employed the tribasic phosphate of lime for pre-

cipitating the matters rendering syrups, etc., turbid, and that more completely than is effected with blood. The specifications for their United States patent (of the year already named) cover the use, separately or in succession as may be required, of steam; of solution of carbonate of soda, of dilute chlorhydric acid, and of the monobasic phosphate of lime; clarification with phosphates; and the collecting of the ammoniacal gases expelled from bone-black during revivification, thus incidentally also obviating their escape into the atmosphere.

Prof. Calvert's statement of the practical application of this method is briefly as follows: After escape of all the syrup from the filters, the black is washed through in them with hot water, and the viscid, ammoniacal, saline, and coloring matters are then removed, and some of them in successive parts, by—1, throwing in steam from below; 2, washing through with alkali, in a weak solution; 3, washing with a weak solution of chlorhydric acid, to dissolve out lime; 4, completing the removal of coloring matters, by washing again with alkali; and 5, adding solution of biphosphate of lime, to increase the absorbent powers of the coal. So far as objection has been raised against this process on the ground that its application is tedious, the same objection would appear more or less to hold against all revivifying processes which are in the highest degree effectual. And whether the process itself prove practicable or not, yet the highly original results at which the authors named have arrived will still possess much theoretical value. Their influence, indeed, appears to be already shown in the character of the more recently devised processes, as in that of Mr. Beanes, who would seem to have used, and in some respects improved on, certain of the ideas of MM. Leplay and Cuisinier.

*Beanes's Process with Chlorhydric Acid Gas.*—The statements of Mr. Medlock, already cited because of their general application, were made in connection with his account of the revivifying process of Mr. Edward Beanes, of Kilburn, England, now to be considered. The object aimed at by the latter was that of devising a plan by which the absorbed lime and carbonate of lime may be removed from the contents of the filters, without attacking the lime-salt of the bone.

In Mr. Beanes's original process, the bone-black, removed from the cylinders, dried and rendered quite hot, is then treated by throwing through the mass a current of perfectly dry chlorhydric acid gas: this is apparently absorbed, and in enormous quantities, reacting in reality with the previously absorbed lime in the black to form chloride of calcium, which is highly soluble; while, as stated, the phosphate of the bone is not attacked. Subsequently, a portion of untreated black is mixed with that so purified, the former serving to neutralize any still uncombined acid; and, the chloride of calcium being washed out, as is done in a few



hours' time, the charcoal is then reburned in the usual way. Mr. Medlock states that the decolorizing power of bone-black so treated is augmented at least 50 per cent.

The patent in this country of Mr. Beanes's process is held by the firm of Havemeyer and Elder, of Brooklyn (E. D.), New York, Mr. T. A. Havemeyer of that firm having, and partly in communication with the original inventor, introduced considerable improvements in the process as above described. The following is substantially the improved method of treatment of the bone-black now practised in the refinery of the firm named. The coal having been washed through with hot water in the filters, is then, in order to remove, or at least to render soluble, a portion of the viscid and other matters with which the grains have become coated, transferred to large tanks partly filled with water, and within which steam is thrown upward through the mass, for about an hour. Removed from these tanks, the black is then passed through the ordinary inclined cylindrical washing-machines, to wash out the matters thus far rendered soluble, and also the fine dust; the latter being caught, in the usual manner, by means of a succession of partitions forming pits in the channel in which the washings are conveyed away. From the washing-machines the black is transferred to a second set of tanks, and again steamed through, in order to dry it; and it is then burned in retorts of the ordinary form, and partly cooled. While yet quite hot, however, the black is elevated again to an upper floor, and is filled into large cylindrical iron tanks which terminate below in form of an inverted cone, and within which it is to be saturated with the chlorhydric acid gas.

The gas named is generated beneath, within a suitable cast-iron retort, by action of sulphuric acid on common salt; and in order, as is requisite, to render it perfectly dry, it is then passed through a large cylindrical "drier" filled with broken masses of chloride of calcium—a substance the avidity of which for moisture is well known. From the drier the gas is passed into the inverted-conical saturating tanks, and in each, by extending the tube far enough down, nearly to the lower or small extremity of the cone. Being at the proper time allowed to escape at this point into the hot and dry coal with which the tank has been filled, the gas rapidly spreads through and is absorbed by the coal; and when, upon trial or from experience, the portion of the coal occupying the lower part of the cone is judged to have its absorbed lime completely saturated with the chlorine of the chlorhydric acid, the mouth of the tank is opened, this portion of the coal being allowed to flow out, while a fresh portion of course descends to take the place of the former, and to receive in turn the charge of gas entering. The absorbed lime of the bone-black being thus converted into chloride of calcium, the black is then again elevated and filled

into iron cylinders, within which the chloride is to be leached out with hot water. In effecting this, steam is at first, in order to expel free chlorhydric gas and air, introduced into the filled cylinders from above, and the washer then filled with hot water, which, after a time, is allowed to run out; and these operations are several times repeated alternately, until a test of the water escaping shows that no chloride of calcium remains; after which the black is finally steamed, to expel water. The bone-black is removed from these cylinders directly to the filters, and employing anew in filtering. Besides advantages such as have been already intimated, it is claimed that the application of the general process now described necessitates less space for apparatus and materials, and involves less waste than the ordinary process by fermentation.

*Disposition of Refuse Bone-black.*—The turning-over of the charcoal, in the old methods, when its power is no longer restored by re-burning, for the manufacture of the so-called superphosphate of lime, has already been mentioned. Where the charcoal is not thus laid aside in bulk, the manufacture is still carried on by use of the dust screened out after re-burning. The refuse charcoal is mixed with sulphuric acid—this being in some cases also, in this country at least, the refuse from the refining of petroleum—in order, from the *tribasic* phosphate to produce the more highly phosphorated lime-salt, which is valued as a fertilizer. Thus, the spent charcoal from the cane-sugar refining in this country, and perhaps generally, is rarely if ever *directly* sought as fertilizing material. In the beet-sugar manufactories of continental Europe, however, owing to the naturally great impurity of beet-juice and syrups, and the general use of blood in refining, the charcoal becomes rapidly and so completely charged with organic matters and salts, that its value as a fertilizer may even exceed the original cost. Accordingly, from the manufactories in France it has, heretofore at least, been delivered in large quantities, being then exported to the amount, it is stated, of 120,000 tons annually, to the French colonies, as manure for the sugar crops; while, further, the Government has even appointed analytical chemists to the special duty of determining the value of the refuse charcoal for the trade.

BOURBON, MARIE AMÉLIE DE, ex-Queen of the French, widow of Louis Philippe, born in Naples, April 26, 1782, died at Claremont, Surrey, England, March 24, 1866. She was the second daughter of Ferdinand I., king of the Two Sicilies, by Marie Caroline, archduchess of Austria. With her four sisters she was carefully educated under the direction of Madame d'Ambrosio, and early displayed the germs of those amiable qualities which distinguished her in after-life. She was scarcely ten years of age when the French fleet appeared in the bay of Naples; and from that time onward, during the period of the first victories of Napoleon, the



royal family were kept in a perpetual state of anxiety and alarm. At length on the conquest of Naples, in 1798, Ferdinand and his queen fled into Sicily with their children. The Princess Marie Amélie remained at Palermo with her mother during the first Neapolitan revolution, but in 1800 the queen and her daughter went to Vienna, returning to Naples two years later. Renewed political outbreaks compelled them again to retire to Sicily, and it was during this second residence there that the princess, for the first time, met the Duke of Orleans, then, like herself, an exile from his country. In 1809 they were married at Palermo, where they resided in tranquillity and peace until 1814, when the restoration of the House of Bourbon restored the young duke to his due position in France. The duchess joined him in a few months, but the events of the Hundred Days soon compelled her to take refuge with her children in England until 1817, when she returned to Paris. From this period down to the Revolution her residence was in France, where her beauty of character and gentle piety won the esteem even of the enemies of the House of Orleans. Taking no part in political life, she devoted herself to the education of her children, and to works of charity. The Revolution of 1830 most unexpectedly placed her husband on the throne, and made her Queen of the French. Ere she had been many years in this exalted position she was called to bury, in 1839, an accomplished daughter, and in 1842 was suddenly bereaved of her eldest son, with whom perished the best security of the house of Orleans. A few years later (in 1848) she was called to strengthen and support her husband under his trials. When the king declared his determination to abdicate, she rebuked him with earnestness, pronouncing revolution a crime and abdication cowardice. "Sire," said she, "a king should never lose his crown without making an effort to defend it." Nevertheless, when she saw that resistance was of no avail, the queen subsided again into the wife, and she prepared to accompany her husband in his melancholy flight. Subsequently in the quiet seclusion of Claremont she devoted herself to the task of soothing the regrets and cheering the heart of the king until his death in 1850. She was a woman of remarkably strong affections, and had not only the entire love and respect of her own immediate family, but won the hearts of all with whom she was in any way associated. Though a strict Roman Catholic, she made no distinction on account of faith in her charities, and was held in the highest veneration by all the poor around her. In accordance with her own expressed wish, she was buried in the dress she wore on leaving France in 1848, for her long exile, and in her widow's cap, in order to show "how unalterably faithful she remained to the two guiding feelings of her life—her devotion to her royal husband, and her love for her adopted country."

BRAINERD, Rev. THOMAS, D. D., an eminent Presbyterian clergyman and author, born in Central New York, June 17, 1804, died at Scranton, Pa., August 22, 1866. He was a direct descendant of Daniel Brainerd, of Puritan renown, passed most of his childhood in the vicinity of Rome, Oneida County, N. Y., and after graduating at Hamilton College, turned his attention to the study of law. Before engaging in practice, however, he discovered his true sphere in life, and entered the Theological Seminary at Andover, Mass., as a student of divinity. Here he was recognized as a student of uncommon promise. After completing his course in the seminary, he removed to Philadelphia, and placed himself under the tuition of the Rev. Dr. Patterson, for whom he also preached at times in the First Presbyterian Church of the Northern Liberties. Prompted by an ardent zeal for the extension of Christ's kingdom in the frontier States, he removed to Cincinnati, where he found a promising field of missionary labor. Here he became the assistant of the Rev. Dr. Lyman Beecher, and besides attending to his pastoral duties, edited a weekly journal, now the "Christian Herald," and assisted in editing the "Presbyterian Quarterly Review." At that time the home missionary cause was passing through a serious conflict. The newly-founded Theological Seminary, under the lead of Dr. Lyman Beecher, was involved in great trouble. Dr. Beecher, as the representative of what was called "the New School," was assailed with unrelenting opposition, and no little virulence, by the Rev. Dr. Wilson and his adherents. Throughout this season, the young editor did effective work for the truth, and made his paper a power in the land. In 1835, upon the resignation of the Rev. Dr. Ely, Mr. Brainerd was called to the charge of the Old Pine Street Church, Philadelphia, the pulpit of which he has from that time filled in the most satisfactory and successful manner. As a preacher, Dr. Brainerd was earnest and eloquent, and as a pastor, faithful and beloved by his entire people. He was of very industrious literary habits, having been a frequent contributor to the literary monthlies, and the author of numerous published sermons and tracts. Not long since he gave to the world what he modestly styled his "first book," which bore the following title: "The Life of John Brainerd, the Brother of David Brainerd, and his Successor, as Missionary to the Indians of New Jersey." This work was ably written, and created a considerable sensation in the religious and literary world.

BRANDE, WILLIAM THOMAS, D. C. L., F. R. S., etc., an English physician, chemist, lecturer, and author, born in 1786; died at Tunbridge Wells, February 11, 1866. After an education at Westminster, he was sent to Hanover, but in 1803, on the panic of Bonaparte's invasion, he returned home and entered St. George's Hospital, attending the lectures and the dissecting-rooms. In 1808 he commenced lecturing upon



chemistry, and soon after became connected with a new medical school in his town, and rapidly attained a reputation as a teacher and demonstrator of chemistry. In 1809 he was chosen Fellow of the Royal Society, and a few years later was Dr. Wollaston's successor as secretary. In 1812 he became Professor of Chemistry and Materia Medica to the Apothecaries' Company, and in 1851 was elected Master. In 1813 he was, on the recommendation of Sir Humphrey Davy, appointed Professor of Chemistry at the Royal Institution, and delivered lectures for many years in conjunction with Mr. Faraday, who was also associated with him as editor of the "Quarterly Journal of Science." In 1825 he was appointed Superintendent of the Die Department of the Mint, and some years after, Fellow and Examiner of the London University. Besides Professor Brande's famous "Manual of Chemistry," which has been translated into so many foreign languages, he was author of "Outlines of Geology," "Encyclopædia of Science and Art," republished and extensively sold in this country, and many valuable papers in English medical journals. In 1853 he received the honorary degree of D. C. L. from the University of Oxford.

**BRAZIL.** Emperor Pedro II., born December 2, 1825; succeeded his father, Pedro I., on April 7, 1831. The emperor has no son. His oldest daughter, Princess Isabella, was married, October 15, 1864, to the Count d'Eu, son of the Duke de Nemours, and grandson of the late King Louis Philippe of France.

A new ministry was appointed on August 6, 1866, composed as follows: Finances, Zacharias de Góes Vasconcellos, President of the Council; Interior, José Joaq Fernandes da Torres; Justice, João Lustosa da Cunha Paranaguá; Foreign Affairs, Martinho Francisco Ribeiro da Andrada; War, Angelo Moniz da Silva Ferraz; Navy, Dr. Affonso Celso de Assis Figueiredo; Public Works, Agriculture, and Commerce, Dr. Manoel Pinto de Souza Dantas.

American minister at Rio de Janeiro, J. Watson Webb (accredited October 21, 1861); Brazilian minister at Washington, J. M. N. d'Azambuja (accredited April 23, 1865).

The receipts in the year 1864-'65 amounted to 59,476,675 milreis. The budget of 1865-'66 estimates the expenditures at 67,522,980 milreis and the receipts at 52,000,000; probable deficit, 12,522,980. The internal consolidated debt amounted, on March 31, 1866, to 90,442,200 milreis; the external consolidated debt to 14,735,200 milreis.

The total force of the army amounted to 74,318 men. Of the two corps in the field, the first numbered 33,078, and the second, 15,396 men. The fleet, in 1866, consisted of 10 iron-clads, exclusive of two in course of construction, 57 other armed vessels, and 10 non-armed vessels. A law of May 13, 1864, fixes the force of the marine, for the year 1864-'65, at 3,000 men, and, if necessary, at 5,000.

The exports from 1864 to 1865 amounted to

141,068,000 milreis, and the imports to 131,594,000 milreis. The movement of shipping of the year 1863 to 1864 was as follows:

FLAG.	ARRIVALS.		CLEARANCES.	
	Vessels.	Tonnage.	Vessels.	Tonnage.
Brazilian .....	374	61,604	368	45,196
Foreign.....	2,516	854,197	2,428	984,257
Total.....	2,890	915,801	2,796	1,030,053
Coasting trade (under the Brazilian flag).....	2,966	567,432	3,370	658,651

The area of Brazil is estimated at 3,000,460 English square miles. The population, according to the census of 1856, was 7,677,800. (By rectifying the statements for some of the provinces, Baril de la Hure, in his work *l'Empire du Brésil*, changed these figures into 7,755,657.) According to the official census of 1859, the population exceeded 8,000,000. The *Geographia*, published by the Senator Pompeo (Rio de Janeiro, 1864), gave the population of the empire as 10,045,000.

In November the emperor liberated the national slaves, the profits of whose labors belonged to the crown. Large numbers of the freedmen entered the Brazilian army.

A second "National Exposition" was held in 1866, which was closed on December 10th, in the presence of the imperial family. The closing address of the president of the directing committee, Conselheiro Souza Ramos, stated that the exposition opened with 18,391 products contributed by 2,127 exhibitors, to which were afterward added 1,737 products furnished by 247 contributors from Pernambuco and Ceará, thus raising the number of articles shown to 20,128, representing 2,374 exhibitors, an increase of 10,266 articles and 1,238 exhibitors over those of the exhibition of 1861, although for various reasons Matto Grosso, Goyas, Minas Geraes, Espirito Santo, and Alagoas did not forward collections. The number of visitors was 52,824, against 18,553 in 1861, and the committee remark with pride that not a single disagreeable circumstance occurred even on the most crowded days. They also pay a tribute to the great interest taken in the exposition by the imperial family, and their frequent visits to it, and careful examination of the articles exhibited.

On December 7, 1866, the following highly important decree, opening up the Amazon and other rivers, was published:

With the wish to promote the welfare of the empire, and to draw closer international relations by opening the navigation and commerce of the River Amazon and its tributaries, the River Tocantins and the River San Francisco, and having consulted with my ministers of state, I have resolved and do hereby decree as follows:

ART. 1. From the 7th of September, 1867, shall be open to the commerce of all nations, the navigation of the River Amazon as far as the frontiers of Brazil, of the River Tocantins to Cametá, of the River Tapajoz to Santarem, and of the River Madeira to Manáos.



ART. 2. At the date fixed in article one, shall be also opened to foreign navigation, the River San Francisco as far as the city of Penedo.

ART. 3. The navigation of the tributaries of the Amazon, in places where only one bank belongs to Brazil, shall depend on treaties yet to be made with the States holding title to the other bank as to the respective limits of each State as well as to fiscal and police regulations.

ART. 4. The present act shall in no way alter or interfere with existing treaties of navigation and commerce with the republics of Peru and Venezuela, according to the regulations already published.

ART. 5. My ministers and secretaries of state, through their respective departments, shall attend to the arrangement of the treaties spoken of in article three, and shall issue the necessary orders and regulations for the due execution of the present decree.

Signed by the Emperor and by the Minister of Foreign Affairs, Antonio Coelho de Sa e Albuquerque.

PALACE OF RIO DE JANEIRO, Dec. 7, 1866.

The Amazon runs through the very centre of Brazil, and, unlike most, if not all, of its tributaries, it is navigable throughout its whole course of nearly 4,000 miles. It is deep, with a uniform current uninterrupted by rapids or cataracts. The tides of the Atlantic into which it flows, through an embouchure 180 miles wide, are felt 400 miles from its mouth, where the water is twenty fathoms deep, and the river more than a mile across. On its banks and on each side the interior produces maize, rice, coffee, sugar, cotton, tobacco, spices, timber, medicinal plants, horned cattle, gold, iron, and lead. The tributaries, which enter this river from the neighboring country of Bolivia were opened by the Bolivian Government to the navigation of all countries in 1853, but the value of this concession was neutralized by the then and subsequent policy of the Brazilian Government in refusing to open the Amazon. Now the Amazon is free from the frontiers of Brazil to the ocean, and a great channel for trade, population, and civilization is open to all nations. The Tocantins, which is a tributary of the Amazon, is about 1,200 miles long. Owing to rapids and cataracts, it is not navigable, except in patches, for any thing near this extent, but it runs through exceedingly fertile countries, producing most of the articles just enumerated. Owing to the natural obstacles of rapids and cataracts, the decree specifies that it is open from the sea to Cametá, which is on the left bank, and a rising city with 40,000 inhabitants; the Tapajoz to Santarem, also a growing place; and the Madeira to Manáos, a name which represents a province rather than a town. The San Francisco is the other great river opened to free navigation. It is said to resemble the Volga, the largest European river in length and the most diversified in character. It has a course of about 1,300 miles; but it is to be opened only to Penedo, which is not far in the interior, owing to the natural obstructions to navigation. But at intervals it is navigable for 200 miles at a stretch, and the current is rapid enough to carry vessels, without any other aid,

100 miles in twenty-four hours. Like the Volga, it is, in places, subject in the dry season to shallows, and in the wet to inundations, but these inundations fertilize a wide extent of country. Gold is found among its deposits. The sugar-cane thrives on its borders. It was on this river, at a place now called Salitre, that the extensive deposits of nitrate of soda were discovered, which excited so much interest in this country and in Europe about eight or nine years ago. There is said to be one valley, sixteen leagues broad by twenty leagues long, where this product is to be found in many places on the surface, and in all with little or no labor. As a superficial manure or top-dressing, nitrate of soda is of great value to agriculture, and it may be brought to this country at a cheap rate now that the river is open.

The regular session of the Brazilian Parliament was opened by the emperor on May 3d. In his speech he announced the birth of the Prince Dom Pedro, son of Princess Leopoldina and Duke August, of Saxe-Coburg Gotha. He congratulated the country on the recent victories on the Paraná, and called the attention of the members to the necessity of inquiring into financial matters. Among the most important bills adopted by both Houses and signed by the emperor, were a resolution upon the Bank of Brazil and the improvement of the circulating medium, and bills on the postponement of the elections and for an extraordinary supplemental credit for the expenses of the war. The session was closed on September 16th by a speech from the throne, which thus referred to the subjects of greatest importance for the country: "The United States of North America have given to Brazil the most complete satisfaction for the violent capture in the port of Bahia of the privateer Florida by the war-steamer Wachusett. The war to which the President of Paraguay provoked us still continuing, the Government is employing with effect the means necessary to vindicate the national honor, aided therein ever by the patriotism of all Brazilians. The hopes of a good harvest in the generality of the products of our industry fortunately are being realized. The public tranquillity has been disturbed in no part of the empire, which is due to the disposition and growing civilization of the people."

The Government of Brazil, and all classes of the people, continued to feel a deep interest in immigration, and showed a great desire to promote it. An official publication on the subject, by the Government, states: "Immigrants will find an abundance of fertile land, suitable for the culture of cotton, sugar-cane, coffee, tobacco, rice, etc. These lands are situated in the provinces of Rio Grande do Sul, Santo Catharina, Paraná, São Paulo, Espírito Santo, and Rio de Janeiro; and each immigrant may select his own lands. As soon as the immigrant has chosen his land, it will be measured by the Government, and possession given on the price stipulated. Unoccu-



pied lands will be sold at the rate of 23, 46, 70 or 90 cents per acre, to be paid before taking possession, or sold for terms of five years, the immigrants paying six per cent. interest yearly, and receiving the title of property only after having paid for the land sold. Immigrants will enjoy under the constitution of the empire all civil rights and liberties which belong to native-born Brazilians. They will enjoy liberty of conscience in religious matters, and will not be persecuted for their religious belief. Immigrants may become naturalized citizens after two years' residence in Brazil, and will be exempt from all military duties except the national guard (militia) in the municipality. No slaves can be imported into Brazil from any country whatever. Immigration of agriculturists and mechanics is particularly desired. Good engineers are in demand in the empire. In January, 1866, an International Immigration Society was established at Rio de Janeiro for the purpose of encouraging immigration. The Brazilians hoped especially for a large increase of the immigration from the United States, but although this immigration did not altogether cease, it did not assume the dimensions which the Brazilian Government expected.\*

The most complete and most accurate work on Brazil in the English language, is the new edition of "Brazil and the Brazilians," by Rev. James C. Fletcher and Rev. D. P. Kidder, D. D. (New York, 1866.) The new edition affords abundant information of the latest date in regard to the material and moral progress of Brazil.

BREMEN, a Free City in North Germany. First Burgomaster (1863-'67), Ch. F. G. Mohr. Area, 112 square miles; population, in 1864, 104,091. Receipts, in 1865, 1,819,220 thalers; expenditures, 1,757,961 thalers. Army, 760 men. Value of imports, in 1865, 77,294,373; exports, 70,879,834. The merchant navy was composed, at the close of 1864, of 294 vessels. After the German-Italian war, Bremen joined the North German Confederation.

BRIDGES. *The Hudson River Bridge at Albany.*—This bridge crosses the Hudson River at Albany, about half a mile above the old railroad ferry, or middle of the river line of the city, and forms a connecting link between the New York Central Railroad on the west, and the Hudson River, New York and Harlem, and Albany and Boston Railroads on the east. The approaches to the bridge, designed ultimately to consist of masonry and embankment, are at present temporarily built of timber trestle-work, varying in height from three to twenty feet, with timber truss bridges over Montgomery, Centre, and Water Streets, on the Albany side.

The main bridge consists of twenty spans, of

\* Fletcher and Kidder, "Brazil" (New York, 1866), give, on pp. 592-593, the letter of welcome and of instruction to some immigrants from the South of the United States, by Sr. Paula Souza, Minister of Public Works, Agriculture, and Commerce, in 1865-'66, and some extracts from a speech of Dr. Furquim d'Almeides in favor of religious toleration.

the following clear widths: three over the Albany basin of 66 feet each, four fixed spans of 172 feet each, and two draw spans of 111½ feet each, over the main channel, and one span of 71 feet, and ten spans of 66 feet each, across the flats on the east side; and stands about 30 feet clear height above ordinary summer tide level of the river.

The substructure consists of twenty-one stone piers, all resting on foundations of spruce piles, from twelve to fourteen inches in diameter, and driven from two and a half to three feet apart between centres, and generally from twenty-four to twenty-eight feet below low-water level. In preparing the foundations for the masonry, different methods were adopted in different portions of the work. In the case of the pivot pier, and the three main channel piers east of it, the site of each pier was first excavated to a depth of about twenty feet below low water, and of a length and breadth considerably greater than the intended pier, and, after the piles were driven, a strong crib of twelve-inch square timber was built around them, the sides of the cribs being kept from spreading by ties of one and one-eighth inch square iron, placed twelve feet apart in each course of timber. The crib was then sunk upon the bottom of the excavation, having been made of sufficient height to bring the top thereof within two feet of low-water level. The interior of the crib was then filled with concrete, composed of coarse gravel and hydraulic cement, and the surplus excavation around the cribs filled with loose stone up to within twelve feet of low water, to support the crib and avert any danger from scouring; the piles were then cut off level with the tops of the cribs, and the whole covered with a platform of six-inch plank, upon which the stone work was commenced. For the westernmost pier in the main channel, which is in the deepest water, no excavation was made, but the piles were cut off to a level about a foot above the bed of the river, and the masonry sunk upon them by means of a timber caisson. For each pier in the basin the piles were cut off six feet below low water, a strong platform moored over them, on which the masonry was commenced, and lowered upon the piles by means of screws. For the piers on the flats, east of the main channel, the site of each was excavated to a depth of about three feet below low water, the piles driven as for others, and cut off about one foot below low water. The excavation was then filled around and over the heads of the piles with concrete, about up to low-water line, and upon this the masonry was commenced.

The masonry of the piers and abutments is composed of the best quality of limestone of a bluish-gray color.

The stones in each course are clamped together with strong iron clamps, and each course is secured to the one next above and below by iron dowels. The shape of the ends of the piers in plan is that of a gothic pointed arch,



being formed by two circular arcs of sixty degrees each. The up-stream edge or nose of each main channel pier is sloped back at an angle of about thirty degrees from the perpendicular, the better to enable them to resist, break up or turn aside masses of ice or other floating bodies. The pivot pier has guards, constructed of stone in the same manner as itself, placed up and down stream at the proper distances to receive the ends of the draw when swung open, and connected with the pivot pier by timber crib-work filled with loose stone.

*Superstructure.*—The superstructure, designed ultimately to be of iron, and to carry a double track, at present consists of a single-track timber bridge, all except the draw spans being on the Howe plan.

The trusses of the long spans are twenty-four feet high, and those of the short spans nine feet high. The clear width between the trusses is fifteen feet.

The draw, designed by Col. J. W. Adams, is the "arch brace plan," the peculiarity of which consists in having the main supporting braces radiate from the ends of the lower chords to different points in the length of the upper chords, thereby transmitting the weight of the bridge and load *directly* to the abutments. The ends of the draw when swinging are supported by eight chains composed of iron bars  $5 \times 1$  inches, extending from the top of a central tower sixty feet high to the ends of the lower chords of the trusses.

The turn-table of the draw consists essentially of a series of seventy rollers, placed between two circular tracks, one being fastened to the masonry of a pivot pier, and the other to the under side of the bridge. The faces of the tracks, which are nine inches broad, are accurately planed, so as to present no obstacle to the movement of the rollers, which are turned true and smooth. The rollers are twelve inches in diameter, and nine inches long on the face. They are placed in the annular space between two concentric iron rings, and kept at the proper distance by radial bars, which connect the inner ring with a collar fitted to and revolving around a central pivot-pin six inches in diameter.

*The Cincinnati Suspension Bridge.*—This bridge was designed and built by John A. Roebling, Esq. The total length of this bridge, including the approaches from Front Street, Cincinnati, and Second Street, Covington, is 2,252 feet; length of main span from centre to centre of the towers, 1,057 feet; length of each land suspension, 281 feet; width of bridge in the clear, 36 feet; its height above low water, 100 feet; height of towers from foundation, without turrets, 200 feet; height of turrets, 30 feet; number of cables, 2; diameter of cables,  $12\frac{1}{2}$  inches; strands in each cable, 7; wires in each strand, 740; wires in both cables, 10,360; weight of wire, 500 tons; deflection of cables, 88 feet; strength of structure, 16,800 tons; masonry in each tower, 32,000 perches; ma-

sonry in each anchorage, 13,000 perches; total amount of masonry, 90,000 perches. Size of towers at base, 86 by 52 feet; at top 74 by 40 feet. The wrought-iron floor beams (the length of two of which makes the width of the bridge) are each 19 feet long by 5 inches wide; and there will be two joined in every five feet of the bridge—one to each suspender. The weight is 20 pounds per foot. Two iron trusses 10 feet high separate the foot road-ways, one on each side, from the carriage-ways; and flat-iron tracks, of accommodating width, are laid for wheels to run upon. The wrought-iron girders, 30 feet long and 12 inches wide, will run the entire length, under the middle of the bridge. The estimated total cost of this bridge is about \$1,750,000.

*The Connecticut River Bridge.*—The Connecticut River Bridge, erected on the line of the New Haven, Hartford, and Springfield Railroad, where it crosses the Connecticut River, has been replaced by an iron bridge on the same line as the old wooden structure, without interrupting the traffic of the road. The difficulty of this undertaking will be appreciated, when it is considered that twenty-two regular trains, and from two to four extra trains, pass over the bridge daily, and mostly during working hours.

The new bridge was designed and erected under the direction of James Laurie, Esq. The iron work was contracted for by William Fairbairn & Co., and the London Engineering and Iron Ship-Building Company.

The several spans were constructed from the plans by the above firms, put together with bolts, and every part fitted and adjusted before being shipped. The rivet-holes were all drilled or punched, and such parts as could be permanently put together without being too cumbersome, were riveted by machinery.

In arranging the spans of the new bridge all the old piers and abutments were made use of, with the necessary alterations and additions to bring them up to the proper height for the new girders.

In the middle of each of the 177-foot spans across the river, with the exception of the middle or channel span, a new pier was built, like the old ones, so as to divide the seven river spans of the old bridge into twelve of  $88\frac{1}{2}$  feet each, with one of 177 feet in the centre.

For convenience in building the new piers, a temporary track was laid inside the old bridge, supported by the lower chords, over which the stone for the lower part of the piers was hauled, and lowered to its place.

The general form of girder is that of a truss composed of rolled plate, angle and **T** iron. The posts or compression bars are vertical, and the ties or tension bars are at an angle of about  $45^\circ$  with the chords, the several parts being all firmly riveted together.

There are three distinct varieties of this general form adopted for the different lengths of spans, by which the use of bars beyond a cer-



tain size is avoided in the longer spans, as rolled bars of a much greater width than nine inches cannot be depended upon for such uniform strength and tenacity as the smaller bars.

The difference consists in the arrangement of the tie bars. In the channel span of 177 feet, the ties cross three of the panels formed by the vertical posts; in the 140 feet and 88½-foot spans they cross two panels, while in the 76½ feet span they cross but one panel.

When the ties cross three panels diagonally, as in the channel span, the truss partakes somewhat of the character of a lattice; and the principle is capable of being extended still farther for longer spans by making the ties cross four or more panels according to the length of the girder.

The work of erecting the bridge was commenced the last week in June, 1865, and progressed without interruption until the whole of the iron work was finished, on the 1st of February, 1866.

Before commencing the iron work of the several trusses, a series of blocks were laid across longitudinal timbers placed under the position to be occupied by each girder, for the purpose of supporting it during construction. These blocks were of the proper height to give the required camber to the girders, and were placed under each post. Upon these were first placed the plates of the lower chord, which were then riveted together in their proper places. Next, the posts were placed in position and riveted to the plates of the lower chord. The top chord was then put on, first the side plates and angle irons, then the horizontal plates and covers. After the plates were all riveted, the camber blocks upon which the girders were built were removed by striking the wedges upon which they rested, leaving the girders supported by the ends.

During the construction of the bridge, as soon as any part was finished and the track placed upon it, heavy trains, weighing about one ton to the foot, were run over it to test its safety. These loads were not so heavy as it was designed ultimately to subject the bridge to as a test, on account of the rest of the bridge, where the iron work was not completed, not being in a condition to bear the extra strain.

The channel span, however, was subjected to a severe test by loading it with railroad bars, in addition to a heavy train of four cars loaded with iron, with the engine and tender; in all, about 220 tons. This would be about 1½ tons to the foot. With this load the deflection of the girders was  $\frac{1}{8}$ " on one side, and  $\frac{9}{16}$ " on the other. When the load was removed there was a permanent deflection of only  $\frac{1}{16}$ " on one side and none on the other.

The cost of the iron, delivered in New York, was \$241.55 per ton, in United States currency, \$117.18 of which was premium paid upon gold. The total cost of the iron work of the bridge erected and completed was \$277.41 per ton, or  $12\frac{3}{10}$  cents per pound.

*The Susquehanna Bridge.*—This bridge, designed and executed under the direction of George A. Parker, Esq., is situated nearly one mile above the mouth of the Susquehanna River, and four miles below the head of navigation and tide-water, and has been built by the Philadelphia, Wilmington, and Baltimore Railroad Company, at an expense of nearly \$2,000,000. The engineering difficulties involved in building it were, principally, the unusual depth of water, the unstable nature of the bottom at certain points, and the more than common violence of the ice freshets peculiar to its locality. It is composed of thirteen spans, seven of 250 feet 9 inches each in the clear, east of the draw, and five of nearly the same dimensions, west of the draw.

The draw span is 175 feet long in the clear. The whole length of the superstructure of the bridge, including the draw, from abutment to abutment, is 3,273 feet 9 inches. Its height is 25 feet, and its width 22 feet 6 inches.

The piers are all of solid granite masonry, sheathed from the bottom to the height of extreme high water (eleven feet above ordinary high water) with plate iron. The masonry above water is cut to joints of one-eighth of an inch, and where exposed to lateral pressure is clamped in the courses vertically and horizontally. At the top of the sheathing the piers are eight feet wide, and their sides batter to the bottom at the rate of five-eighths of an inch to the vertical foot. They terminate at each end in triangular starlings seven feet long on the top, which have a double sheathing of wrought iron. They do not project like the ordinary ploughshare-shaped ice-breakers of American bridges, but have a concave outline at their salient edge; not being exposed to the momentum of the ice-fields moving down long planes, this modification of the ordinary form seemed necessary; as these piers have only to meet, when subjected to their greatest strain, a steady crushing pressure, resistance to which cannot be much aided by any mechanical contrivance, but which must be met in the main by simple inertia and irrefragibility. An uncommon degree of inertia (proportioned to bulk) is given to these structures by their iron sheathing, and also by the extraordinary density of the stone of which they are composed; the latter being Port Deposit granite, weighing more than one hundred and sixty-five pounds to the cubic foot. They are 35 feet 4 inches long, and 7 feet 4 inches wide at the bridge seat. The draw pier is circular, 24 feet 8 inches in diameter at the top of the iron sheathing.

The abutments are of solid masonry of the same character as that of the piers, but not iron cased below the water line. Above high-water line they are hollow, and contain offices and appliances necessary for the uses of the bridge and the railroad. Their upper story is of iron, corresponding in architectural character with the covering of the superstructure, which they flank.



The easterly abutment and the six easterly piers rest upon pile foundations. The western abutment, and all the other piers, rest upon solid rock. The eastern abutment was built within an old embankment of earth where the water stood at about the level of the foundation piles; and the abutment on the western shore was built in water seventeen feet deep. The depth of water at the several piers is as follows: at pier one, 21 feet 2 inches, and successively 19 feet 2 inches, 38 feet 5 inches, 7 feet 5 inches, 9 feet 10 inches, 31 feet 6 inches, 30 feet 8 inches, 31 feet 4 inches, 25 feet, 22 feet, 17 feet 6 inches, and 11 feet.

Coffer-dams could not have been used upon the foundations of this bridge with any chance of success, except where the water is shallow, or rather where it is of ordinary depth, for it is nowhere of much less depth than the St. Lawrence, where it is the deepest at the site of the Victoria Bridge; nor could pneumatic piles have been used here but in exceptional cases. It would have been hazardous in the extreme also to have attempted to use the method adopted by Mr. Brunel at the Salrash Bridge. The ruder and more unscientific methods, dependent more or less upon chance for their efficacy, which are sometimes resorted to by engineers in difficult situations, were altogether unavailable here, for various reasons. The means actually employed, therefore, for effecting the under-water work were necessarily somewhat different from the ordinary, and consisted mainly in the use of portable iron caissons sunk upon prepared foundations, partly by the use of screws, and partly by means of guide piles only. Where the foundations were of piles, these were driven as far as was possible with a ram weighing 2,200 pounds, and were sawed off at a level as much below the river bed as was practicable. The sawing was effected by a very simple machine, which accurately did its work in depths of water exceeding forty-two feet, at the rate sometimes of

sixty piles per day. At one of the piers where the water was thirty-nine feet above the foundation piles, a construction wharf was built around the site in the manner shown in the accompanying drawing. The caisson of this pier was

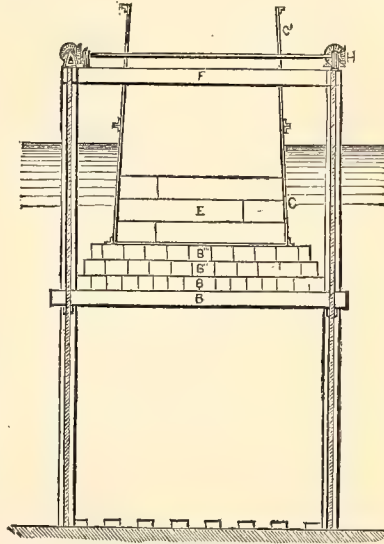


FIG. 2.

fastened to a timber platform, four feet thick. The platform was made to move vertically within guides attached to these constructed wharves. Three arms projected from each side of the platform. Screws of three and a half inches in diameter and fifty-six feet long, secured to simple turning-gear erected upon the deck of the wharves, were passed vertically through nuts contained in these arms. Upon the screws turning horizontally, and having no other movements, the pier was made to descend, or, if required by any exigency, to move in the opposite direction. This movement is excellently well illustrated by the elevators used at hotels. The caisson was designed to be water-tight. The boiler-plate iron used was three-eighths of an inch thick from the bottom to within ten feet of the surface of the water, and elsewhere one-quarter of an inch thick.

It was made rigid by angle iron attached to the sides and ends in rows about seven feet apart. During the process of lowering, it was heavily braced inside with oak timber, to strengthen it against the pressure of the water outside, which at some points in the descent was sixteen pounds to the square inch.

The superstructure of this bridge has some peculiarities. It was originally designed to be of iron, but when the time came for its erection that material could not be procured of the requisite quality with that promptness which the emergency required, and, though with great reluctance on the part of the engineer, timber was employed as a substitute. The chords of the trusses vary in their dimen-

MODE OF SINKING PIERS AT SUSQUEHANNA BRIDGE.

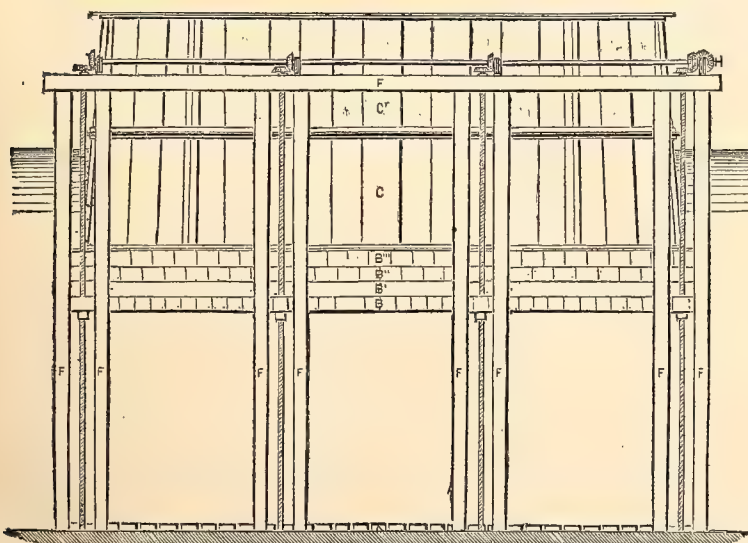
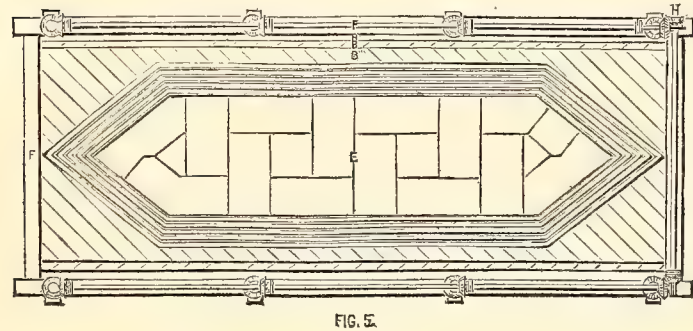
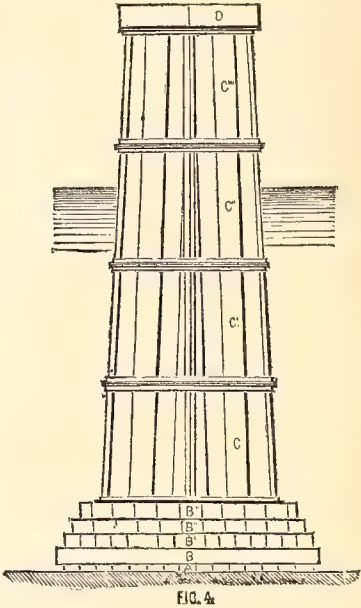
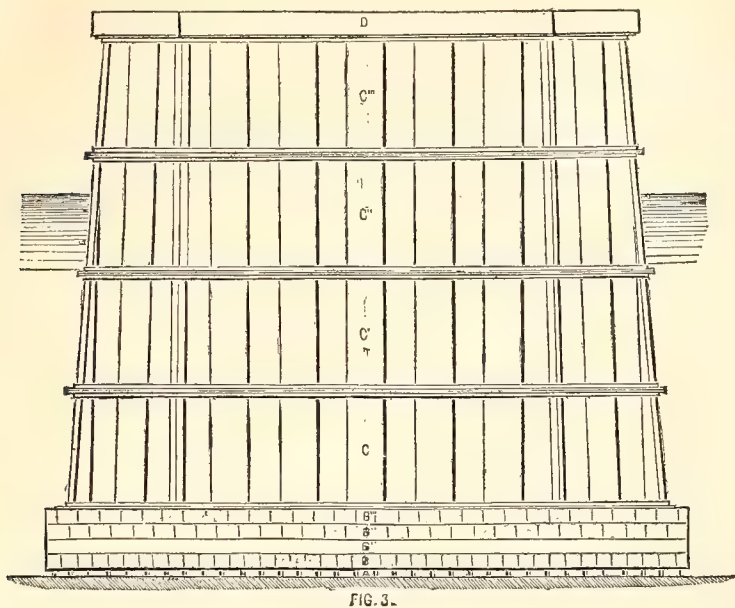


FIG. 1.

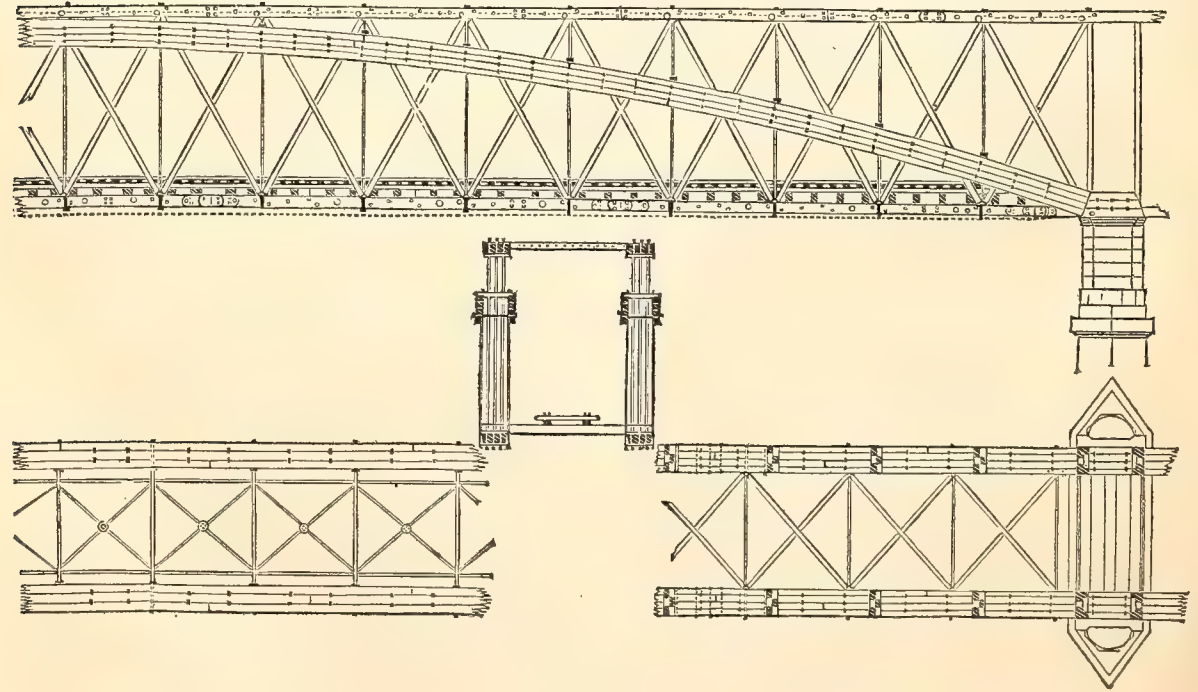


sions to suit the strains imposed upon them. This variation is made necessary by the great length of the span, which could not be reduced on account of the situation. The upper surface of the bottom chord and the lower surface of the top chord are curved therefore, in-



stead of being straight, as is usual in timber bridges. The saving in dead weight is one of the least advantages of this arrangement, though that is not inconsiderable. The covering of the trusses will be of galvanized iron, having openings between the braces, as shown in the drawing. The principal braces are so wide apart as to permit a man to pass between them and within the covering from one end to the other of the bridge.

ELEVATION OF HALF SPAN, SUSQUEHANNA BRIDGE.





BRITISH NORTH AMERICA, comprising Canada, Nova Scotia, New Brunswick, Newfoundland, and Prince Edward Island. His Excellency Right Hon. Charles Stanley, Viscount Monck, Governor-General of British North America, and Captain-General and Governor-in-chief in and over the Provinces of Canada, Nova Scotia, New Brunswick, and the Island of Prince Edward, and Vice-Admiral of the same, etc. Denis Godley, Governor-General's Secretary; Lieut.-Col. Hon. Richard Monck, Military Secretary; Capt. Pemberton, 60th Rifles, aide-de-camp; Lieut.-Col. Irvine, Provincial aide-de-camp; Lieut.-Col. Bernard and Lieut.-Col. F. Cumberland, Extra Provincial aides-de-camp.

*The Canadian Cabinet.*—Sir N. F. Belleau, Receiver-General and Premier; Hon. A. J. Fergusson Blair, President of the Council; John A. Macdonald, Attorney-General for Upper Canada, and Minister of Militia; George E. Cartier, Attorney-General for Lower Canada; W. P. Howland, Acting Minister of Finance; William McDougall, Provincial Secretary; Thomas D'Arcy McGee, Minister of Agriculture and Immigration; A. Campbell, Commissioner of Crown Lands; W. P. Howland, Postmaster-General; J. C. Chapais, Minister of Public Works; James Cockburn, Solicitor-General for Upper Canada; Hector E. Langevin, Solicitor-General for Lower Canada.

*Nova Scotia.*—His Excellency Lieutenant-General Sir William Frederick Williams, of Kars, Baronet, K. C. B., Lieutenant-Governor.

*New Brunswick.*—His Excellency Major-General Charles Hastings Doyle, Administrator.

*Newfoundland.*—His Excellency George Dundas, Esq., Lieutenant-Governor.

*Prince Edward Island.*—His Excellency Anthony Musgrave, Esq., Lieutenant-Governor.

*The Reciprocity Treaty between Canada and the United States.*—This was the subject of a conference between a delegation from the Colonial Government of Canada and the Committee of Ways and Means of the United States House of Representatives, in January, 1866. The interviews took place at the Treasury Department, Washington, with the approval of Hon. Mr. McCulloch, Secretary of the Treasury. The Colonial delegates were the Hon. Messrs. Galt and Howland (Canada); Henry (Nova Scotia); and Smith (New Brunswick); and the Congressional committee, Messrs. Morrill, of Vermont; Hooper, of Massachusetts; Brooks, of New York; Garfield, of Ohio; Wentworth, of Illinois; Conkling, of New York; Moorhead, of Pennsylvania; Allison, of Iowa, and Hogan, of Missouri.

\* After a general discussion upon the subject of reciprocal trade, Mr. Morrill submitted, on behalf of the committee, the following list of articles which he thought should be admitted to the United States with no higher duty than the pressure of the United States internal revenue tax: Fish of all kinds; products of fish; hides, furs, skins, and tails, undressed; horns, manures; pitch, tar, turpentine; ashes; coal, firewood; plants, shrubs, and trees; fish-oil; rice, bark; gypsum, unground; burr and grind stones, unwrought; rags, except woollen, unwrought.

The articles mentioned below he thought should be made to bear a higher import duty

than the pressure of the United States internal revenue tax: Grain, flour, and breadstuffs of all kinds; animals of all kinds; fresh, salted, and smoked meats; cotton, wool, seeds, and vegetables; undried fruits, dried fruits; poultry, eggs; stone or marble, slate; butter, cheese, tallow, lard; timber and lumber of all kinds; pelts and wool; dyestuffs; flax, hemp, and tow; unmanufactured tobacco; woollen rags; burr and grind stones, wrought.

There were three other points embraced in the proposition from the House committee. First, the mutual use of the waters of Lake Michigan and the St. Lawrence. Second, the free transit of goods under bond between the two countries, and in that connection the abolition of the free ports existing in Canada. Third, the concession of the right of fishing in provincial waters.

The Hon. Mr. Galt, on behalf of the Colonial delegates, stated their objections to the proposition with frankness and ability. He thought that all the articles on the free list of the reciprocity treaty, and such others as might be agreed on, should be dealt with on the basis of imposing custom duties as heavy as the internal taxes of the United States. With reference to the fisheries and navigation, he took the ground that no new arrangements were required. As to the transit trade, he agreed that it would be desirable that the regulations for passing goods under bonds should be reduced to the form of a law, and there seemed to be no reason why a uniform system should not be adopted. With reference to the assimilation of duties between the two countries, he said that it would be the desire of the Colonial delegates to unite with the committee in making the duties upon spirits, beer, tobacco, and cognate articles affected by the excise duties upon them, such as might be determined to be the best revenue standard. As to other articles, the Colonial Government was disposed to make mutual arrangements on a satisfactory footing. Mr. Galt expressed the hope that the time would come when the policy of the United States would not be as restrictive as now. With regard to the navigation of the internal waters, it would seem to be advantageous to both sides to have the trade free. He also expressed the willingness of the Canadian authorities to assimilate their patent laws to those of the United States.

On the 6th of February, all the questions involved having been discussed at numerous sittings, the Colonial delegates rejected the American proposition as a whole, and expressed a feeling of disappointment at the unsuccessful termination of the conference. Mr. Galt stated that the Canadian Government were prepared to let the present trading facilities continue without asking for any further security from the United States, or giving any assurances on the part of Canada. The question of the fisheries they would leave, as it would be left at the termination of the treaty, to be dealt with by the several Legislatures of the United States on the one



WASHINGTON, February 7, 1866.

hand, and of the British Provinces on the other, as they might please. On the subject of fisheries, Mr. Henry (representing Nova Scotia) said that it was one upon which, above all others, the population of Nova Scotia were divided in opinion, as to whether they were not the losers under the present condition of things. He considered, at all events, that to yield the right of fishing within the prescribed limits is a very large bounty given for the opening of the United States market for the single article of mackerel. Before the treaty, the duty on mackerel was about \$2 per barrel, and the United States now proposed that on condition of giving up the exclusive right of the fishing, mackerel should be admitted with no higher rate of duty than the pressure of the United States internal revenue tax; but this would amount to \$1.50 in gold, or about \$2 in currency. The question was, therefore, really on the same footing as before the treaty. Under that treaty also a good deal of cheese and butter were admitted into the United States, free; but under the proposed new tariff these would now be taxed. The people of Nova Scotia would therefore feel on all accounts that, in acceding to the proposal of the committee, they would be giving up a decided advantage without any equivalent whatever. Mr. Henry stated, as the opinion of himself and associates, that the object of the committee was apparently not merely to devise a plan for collecting revenue from the Canadian trade, but to put in force the principle of protection.

Mr. Morrill replied that the rates on the part of the United States were fixed with a view to revenue only.

After a further general conversation, the conference broke up, and, on the next day, the following memorandum, embodying the views of the delegates, was presented by them to the committee:

WASHINGTON, February 6, 1866.

*Memorandum.*—In reference to the memorandum received from the Committee of Ways and Means, the Provincial delegates regret to be obliged to state that the proposition therein contained, in regard to the commercial relations between the two countries, is not such as they can recommend for the adoption of their respective Legislatures. The imposts which it is proposed to lay upon the productions of the British Provinces on their entry into the markets of the United States, are such as, in their opinion, will be in some cases prohibitory, and will certainly seriously interfere with the natural course of trade. The imposts are so much beyond what the delegates conceive to be an equivalent for the internal taxation of the United States, that they are reluctantly brought to the conclusion that the committee no longer desire the trade between the two countries to be carried on upon the principle of reciprocity. With the concurrence of the British minister at Washington they are, therefore, obliged respectfully to decline to enter into the engagements suggested in the memorandum, but they trust the present views of the United States may soon be so far modified as to permit of the interchange of the productions of the two countries upon a more liberal basis.

The delegates also submitted the following report to the British ambassador at Washington:

To His Excellency Sir Frederick Bruce, K. C. B., etc.:

SIR: We have the honor to inform your excellency that the renewal of our negotiations for reciprocal trade with the United States have terminated unsuccessfully. You have been informed from time to time of our proceedings, but we propose briefly to recapitulate them.

On our arrival here, after consultation with your excellency, we addressed ourselves, with your sanction, to the Secretary of the Treasury, and we were by him put in communication with the Committee of Ways and Means of the House of Representatives. After repeated interviews with them, and on ascertaining that no renewal or extension of the existing treaty would be made by the American authorities, but that whatever was done must be by legislation, we submitted as the basis upon which we desired arrangements to be made the enclosed paper (marked A).

In reply, we received the memorandum from the committee, of which a copy is enclosed (B). And finding, after discussion, that no important modifications in their views could be obtained, and that we were required to consider their proposition as a whole, we felt ourselves under the necessity of declining it, which was done by the memorandum also enclosed (C).

It is proper to explain the grounds of our final action:

It will be observed that the most important provisions of the expiring treaty relating to the free interchange of the products of the two countries were entirely set aside, and that the duties proposed to be levied were almost prohibitory in their character. The principal object for our entering into negotiations was therefore unattainable, and we had only to consider whether the minor points were such as to make it desirable for us to enter into specific engagements.

These points are three in number.

With regard to the first—the proposed mutual use of the waters of Lake Michigan and the St. Lawrence—we considered that the present arrangements were sufficient, and that the common interests of both countries would prevent their disturbance. We were not prepared to yield the right of interference in the imposition of tolls upon our canals. We believed, moreover, that the privilege allowed the United States of navigating the waters of the St. Lawrence was very much more than an equivalent for our use of Lake Michigan.

Upon the second point—providing for the free transit of goods under bond between the two countries—we believe that in this respect, as in the former case, the interests of both countries would secure the maintenance of existing regulations. Connected with this point was the demand made for the abolition of the free ports existing in Canada, which we were not disposed to concede, especially in view of the extremely unsatisfactory position in which it was proposed to place the trade between the two countries.

On both the above points we do not desire to be understood as stating that the existing agreements should not be extended and placed on a more permanent basis, but only that, taken apart from the more important interests involved, it did not appear to us at this time necessary to deal with them exceptionally.

With reference to the third and last point—the concession of the right of fishing in provincial waters—we considered the equivalent proposed for so very valuable a right to be utterly inadequate. The admission of a few unimportant articles free, with the establishment of a scale of high duties as proposed, would not, in our opinion, have justified us in yielding this point.

While we regret this unfavorable termination of the negotiations, we are not without hope that, at no



distant day, they may be resumed with a better prospect of a satisfactory result.

We have the honor to be your excellency's most obedient servants,

A. T. GALT, Minister of Finance, Canada.

W. P. HOWLAND, Postmaster-Gen'l, Canada.

W. A. HENRY, Attorney-Gen'l, Nova Scotia.

A. J. SMITH, Attorney-Gen'l, New Brunswick.

*Canadian Trade with the West Indies, Brazil, and Mexico.*—When it became evident that the reciprocity treaty between the United States and Canada would be abrogated, a confederate council of trade was held in Quebec September, 1865, at the suggestion of the Imperial authorities, and a committee appointed to investigate the trade of the West Indies, Brazil, and Mexico, with a view to obtain new commercial advantages for Canada. This committee, which proceeded on its mission in December of that year, was composed as follows: From Canada, Hon. William McDougall, M. P. P., Provincial Secretary; Hon. Thomas Ryan, M. L. C.; J. W. Dunscombe, Esq., Collector of Customs for Quebec, and A. M. Delisle, Esq., Collector for Montreal; from Nova Scotia, Hon. James McDonald, M. P. P., Financial Secretary, and Hon. Isaac Levisconte, M. P. P.; from New Brunswick, William M. Smith, Esq., Collector of Customs at St. Johns; from Prince Edward Island, Hon. Wm. H. Pope, M. P. P., Colonial Secretary. The party sailed for St. Thomas, West Indies, and there divided into two; Messrs. Dunscombe, Levisconte, and Pope going to Brazil, and the others visiting the West Indies. The services of a war-steamer were placed at the disposal of the latter body by the admiralty. The commissioners were instructed to report "the nature and extent of the productions of the respective countries they visited," and particulars as to their "trade, tariffs, and all other burdens imposed upon commerce, the ordinary prices current," etc., and to offer suggestions tending to remove obstructions to the rapid increase of direct trade between British America and tropical regions.

In the West Indies, the commissioners made an agreement with the Governors of Demerara, Trinidad, the Windward Islands, the Leeward Islands, and Jamaica, that "customs, duties, and port charges on the produce and shipping of the respective colonies, should be levied solely for revenue purposes, and for the maintenance of indispensable establishments; and that the several governments will be prepared to consider, in a liberal spirit, any complaint having reference to imposts that may be preferred by another government, on the ground that such imposts are calculated to obstruct trade." They also made a conditional agreement to aid in the establishment of improved postal communication. In Brazil the commissioners hastened the throwing open of the coasting trade of the empire, and other concessions were promised, to follow, in due time, the close of the war with Paraguay. On their return, the commissioners submitted to the Provincial Parliament a report containing the desired de-

tails of information, and offered the following suggestions:

1. To establish promptly a line of steamers suitable for the carriage of mails, passengers, and freight, between Halifax, Nova Scotia, and St. Thomas, in the West Indies, touching (until the completion of the Intercolonial Railway) at Portland, in the United States, so as to insure regular semi-monthly communication between the ports mentioned.

2. To make a convention or agreement with the postal authorities of the United States for the prompt transmission of letters, etc., from Canada and the maritime Provinces, by every United States mail which leaves the ports of Boston or New York for the West Indies, Brazil, Mexico, etc., and also for the transmission through United States mails of correspondence originating in those countries.

3. To establish a weekly line of steamers between Montreal and Halifax, and to complete as soon as possible the Intercolonial Railway.

4. To procure, by reciprocal treaties or otherwise, a reduction of the duties now levied on flour, fish, lumber, pork, butter, and other staple productions of British North America, in the West Indies, and especially in Brazil and the colonies of Spain.

5. To obtain, if possible, from the Spanish and Brazilian authorities a remission of the heavy dues now chargeable on the transfer of vessels from the British to the Spanish and Brazilian flags.

6. To procure, by negotiation with the proper authorities, an assimilation of the tariffs of the British West India colonies in respect to flour, lumber, fish, and the other staple products of British North America, a measure which would greatly facilitate commercial operations, and may well be urged in view of the assimilation about to be made in the tariffs of Canada and the maritime Provinces.

7. To promote by prudent legislation, and a sound fiscal policy, the rapid development of the great natural resources of the British North American Provinces, and to preserve as far as it lies in their power, the advantage which they now possess, of being able to produce at a cheaper cost than any other country, most of the great staples which the inhabitants of the tropics must procure from Northern ports.

*Fenian Disturbances.*—The colonies were much agitated at times during the year by raids, actually made or expected to be made, by Fenians upon their soil. A concerted and formidable attack from that mysterious organization was anticipated on St. Patrick's day. Fourteen thousand volunteers responded to the call of the Canadian Government within twenty-four hours. The towns and villages along the frontier were strongly garrisoned. The United States authorities acted promptly to prevent an invasion across the Maine boundary. The day, which was awaited with much anxiety on both sides of the line, passed off without any hostile demonstration. The volunteers were gradually sent home. On the 1st of June, however, an invasion of Fenians really took place. A band of between 1,000 and 1,500, under General O'Neil, crossed in canal-boats near Buffalo and took possession of Fort Erie. Volunteers from various portions of Canada were hurried forward to meet them; and on the 2d of June the battle of Limestone Ridge was fought, in which nine Canadian volunteers were killed, and a large number wounded. The volunteers retreated, and the Fenians, after remaining a short time in possession of the field, fell back, and, receiving no reinforcements, for the most



part recrossed the river into the United States. A barge filled with Fenians was captured by the United States steamer Michigan, which had been stationed off Black Rock to intercept them, but they were soon afterward released. General Grant, U. S. Army, was at Buffalo at this time, on his way westward, and took steps to prevent any more Fenians crossing. Major-General Meade, U. S. Army, proceeded to Ogdensburg, and exerted himself to prevent reinforcements or arms from entering Canada from that direction. On the 7th of June the Fenians, reported from 1,000 to 1,200 strong, under General Spear, crossed the line from Franklin, Vt., to St. Armand, and proceeded to plunder the surrounding country. They were driven out on the 9th by the Canadian volunteers, and fifteen of their number captured. In the mean time, President Johnson had issued a proclamation for the maintenance of neutrality; General Sweney and staff had been arrested by the United States authorities at St. Albans, Vt., Roberts, the Fenian President, in New York, and three Fenian colonels in Buffalo. Two car-loads of Fenians, on their way North, were put off the train at Watertown by order of General Meade. No other Fenian invasion occurred during the year. The trial of a number of Fenian prisoners took place in Toronto, in October. About half of the prisoners had already been set free, the evidence as to identity being insufficient. Two of those tried—Lynch and McMahon—were sentenced to death, but afterward respited. Other trials were held in Sweetsburg, in December. Three were sentenced to death, and three to seven months' imprisonment. The prisoners reaped the advantage of the fact that the law applying to foreign invaders was only passed on the 8th of June, and nearly all the acts of a warlike nature occurred in the two previous days. After indictment, therefore, the Governor-General instructed the crown-officer to enter a *nolle prosequi* against those indicted for acts performed on the 6th and 7th. (See FENIANS.)

*The Canadian Parliament.*—Early in the session acts were passed to facilitate the trial of the Fenians in Lower Canada, by extending an Upper Canada act respecting foreigners invading the country to the eastern Province, and also to facilitate arrests of any seditious persons by the suspension of the *habeas corpus* act. (The Parliament of New Brunswick also suspended that act on the first day of its session after the general election.) The indemnity asked by the Government for the unauthorized expenditures for the militia was readily voted. A proposition by the finance minister to assimilate the tariff in some respects to those of the Lower Provinces, and in other respects to that of Great Britain, was, in its principal recommendations, approved and adopted. A bill relating to education in Lower Canada, designed to secure to the Protestants of that Province necessary instruction apart from the Catholics, who were a majority in the local Legislature,

was defeated; and Mr. Galt, the finance minister, who had framed the bill, felt therefore bound to resign. With regard to the local constitutions, provision was made against altering the boundaries of counties returning English-speaking members without their own consent. The new civil code of Lower Canada was passed, and went into force on the 1st of August.

On the 15th of August, Parliament was prorogued. In the course of his address to the Governor-General on that occasion, the Speaker of the Legislative Assembly said:

Immediately upon the opening of the present session, the attention of the Legislature was directed by your excellency to the outrages which had been committed upon the soil of Canada by a lawless band of marauders, who had crossed the frontier at various points from the neighboring States, and assailed the lives and property of our peaceable citizens. The formidable aspect of this invasion had compelled your excellency, by the advice of your ministers, to call out for active service a large portion of the volunteer militia force of the Province, and to incur considerable expense in defending the frontier from aggression. No sooner had we returned from your excellency's presence, than, with an alacrity and unanimity unprecedented in the history of Parliament, the bills were passed through all their stages, conferring upon your excellency the necessary powers for dealing summarily with all those misguided persons who had been or might be hereafter concerned in the senseless movement which is known by the name of Fenianism, and empowering the Government to act with the utmost promptness in the maintenance of law and order throughout the land.

In view of the approaching change in the political condition of British North America, our attention has been seriously directed to the formation of the local governments of Upper and Lower Canada to be connected hereafter by a federative union with the maritime Provinces. Resolutions embodying the opinions of the Legislature upon this momentous question have been matured, agreed upon, and transmitted to your excellency, to be forwarded for the consideration of the Imperial Government. The gradual but decided change of public opinion in New Brunswick and Nova Scotia on behalf of a closer alliance with Canada, the favor with which the scheme of confederation has been received by the most eminent statesmen in the mother country, and the satisfaction evinced throughout these Provinces at the prospect of political union with those who are already so nearly connected with us by ties of interest and friendly intercourse, agree in encouraging the hope that we are about to enter upon a new era, wherein the British colonies in North America will become a great, powerful, and wealthy nation, cleaving the closer to the parent state because of the freedom we enjoy under the beneficent rule of our beloved queen.

Lord Monck, in his speech from the throne, alluded to several of the most important events of the half year, as follows:

It must be a source of satisfaction to you to feel that the credit of the Province will be strengthened, and her commercial operations will be extended by the changes which have been made in the duties on imports, and other financial alterations tending to reduce the cost of living in Canada.

We may confidently expect that the effect of the tariff which you adopted will be to provide for the public wants without opening new sources of taxation, and to increase the available resources of the country by enlarging the markets for the industry



of the people. I am particularly gratified that you have enabled me to make provision for those who have suffered by the loss of relatives, or have been wounded during the late attack on the Province. This act is a just tribute, on your part, to the patriotism of the men upon whom devolves the defence of the Province, and will prove to the survivors that they do not serve an ungenerous or ungrateful country.

The votes for purposes of public defence are on a scale which will enable the Government to improve the efficiency of the volunteers in armament, equipment, and drill, and no exertions shall be wanting to apply your grants with effect in each of these particulars.

I rejoice that you have completed your part for the union of the colonies of British North America, and I shall not fail to transmit to the Secretary of State for the Colonies, for presentation to her majesty, your address on this subject. In bringing to a close the last session likely to be held under the act for the union of the two Canadas, I congratulate the Parliament which that law called into existence on the retrospect afforded by the events of the last quarter of a century in this Province. You can mark during the period the firm consolidation of your institutions, both political and municipal, the extended settlement of your country, and the development of your internal resources and foreign trade, the improvement and simplification of your laws, and above all the education which the adoption of the system of responsible government has afforded your statesmen in the well-trying ways of the British constitution.

*Confederation.*—After securing votes in favor of union and authority to go, from both Legislatures, the colonial delegates from New Brunswick and Nova Scotia left at midsummer for England to perfect the final arrangements for colonial union (Prince Edward Island and Newfoundland declining to send any), expecting the Canadian delegates to follow very shortly. But the session of Parliament was much longer than was anticipated, and during the autumn threats of renewed invasion were pretty constant. It was felt that at such a time the Governor-General and his chief advisers ought not to be absent from the country. There was, besides, a great deal of business to be transacted by the Executive Council which had fallen into arrears during the March and June panic and invasion, and there were the measures passed during the late session to be set in operation. These detained the Canadian ministers who were named delegates until November, and the Governor-General himself until December. Meanwhile the Eastern delegates were urgently calling for the presence of their Canadian colleagues, but busying themselves with doing every thing possible to forward the business of their embassy. Out of their conferences there—the premier of Prince Edward Island being also in London on other business—came an offer of a subsidy to the island to enable it to change its land tenure by purchasing proprietary rights. This was sent to the Canadian Government for its concurrence, but the latter replied that it could not concur without the consent of Parliament, which had already risen. They would, however, if found desirable on further consultation, recommend it to the favorable consideration of the first Confed-

erate Parliament. This was the only possible answer, but it was a severe disappointment, nevertheless, to the friends of confederation in Prince Edward Island. Mr. Howe, with Mr. Annand, had followed the Nova Scotian delegates to England, carrying with them a petition from the anti-confederates of that Province.

A London correspondent of *La Minerve* states that the leading men of both the great parties in England express approval of the project of confederation, and that it is understood the bill to give it effect would be taken up early in the next session of Parliament, so as to be put into operation in the Provinces in the spring.

*Agitation for Annexation to the United States.*—A large meeting was held in Kingston, C. W., November 21st, at which a resolution was adopted calling upon the Canadian people to agitate for annexation to the United States. On the 25th of November the Rev. J. Allen preached in the Episcopal cathedral, to a large audience, in favor of that measure. It is stated that a strong annexation feeling exists among the people in the Canadian peninsula between Detroit and Niagara. At the Kingston meeting allusion was made to a bill presented by General Banks, in Congress, on the 2d of July, and on its second reading referred to the Committee on Foreign Affairs. The history of this bill has been thus stated:

In the closing days of March there was introduced into the House a long resolution calling on the Secretary of the Treasury for a statement of the trade of the British Provinces in 1864 and 1865, respectively, \* \* \* "together with such information as may be in his possession calculated to assist in correctly estimating the trade resources of said Provinces and their relations to the trade and productions of the United States." The direct object of this inquiry was to bring out matter bearing upon the reciprocity treaty question; the indirect object was to give some official form to the vague and chaotic ideas afloat regarding the annexation of the Provinces.

The reply to this resolution was laid before the House a month ago. The Secretary's letter is very brief, but it encloses a document prepared, under his direction, by Mr. James W. Taylor, special agent of the Treasury Department of the Minnesota District. "The closing pages of this paper," says the Secretary, "contain some views upon the political relations of the United States and British America, upon which I am not prepared to express an opinion at this time, but to which I invite the attention of the House of Representatives."

Mr. Taylor, in concluding the first branch of his report, says: "Of the relations of the United States and British America, it is evident that both communities are equally interested in two great objects: 1. An ocean navigation from the Gulf of St. Lawrence to Lakes Superior and Michigan; and, 2. An international railroad from Halifax to the North Pacific coast, on a route central to the forests of New Brunswick, Maine, and Canada, the mineral formation of Lake Superior, the wheat-growing plains of Minnesota, and the Saskatchewan valley, and the gold districts of British Columbia." The present situation of these two great interests is then briefly considered. "The problem," he says, "of which every Northwestern State ardently seeks the solution, is such immediate construction of new or enlargement of existing canals as will pass vessels of fifteen



hundred tons' burden, without breaking bulk, from the Gulf of St. Lawrence or the harbor of New York to Chicago or Superior. At present the Superior canal is alone sufficient, as the Welland can only pass a vessel of 400 tons, and the St. Lawrence canals can pass a vessel of only 300 tons. The New York canals are of less capacity.

In this connection the report brings forward numerous figures showing the trade between Chicago and the lake country on the one hand, and the East and Europe on the other; and finally adds that experience has proved that freight charges from Chicago often cover seven-eighths of the value of a bushel of corn, and more than half the value of wheat at Liverpool. It is believed that the enlargement of the Welland and St. Lawrence canals would reduce the cost of grain transportation between the two points fully one-half.

The International Railway project is also discussed, though but briefly. Mr. Taylor believes that a St. Lawrence and Pacific road, even if aided by liberal allotments of land along its line, will require at this time a Government subsidy of at least \$100,000,000; and he does not anticipate that England would assume any material portion of such an obligation; while the Province, even if confederated on the plan somewhat agitated within the last two years, would be utterly unable to undertake such a work during this century.

This abstract brings the report down to the "political views," upon which the Secretary does not now express an opinion. They are summed up in a single sentence, as follows: "I cannot resist," says Mr. Taylor, "the conclusion that events have presented to the people and Government of the United States the opportunity—let me rather say, have devolved the duty—of interposing by an overture to the people of the English colonies on this continent, of course upon the fullest consultation with the Government of Great Britain, to unite their fortunes with the people and the Government of the United States."

This is followed by the draft of "An act for the admission of the States of Nova Scotia, New Brunswick, Canada East, and Canada West, and for the organization of the Territories of Selkirk, Saskatchewan, and Columbia." This is, word for word, the annexation bill with which the name of Gen. Banks has become connected. The Secretary's report, embodying this act, was sent to the Committee on Foreign Affairs, of which Gen. Banks is chairman. He was directed to report the bill and have it recommitted, simply to get it before the committee and the country. That action neither commits him nor his committee to the annexation project, nor to the scheme of this bill. What, now, is the scheme as developed in this bill?

It proposes twelve articles, on the adoption of which the Provinces shall become members of the Federal Union. These define the limits of the new States and Territories, fix the Congressional representation of the States till the census of 1870, convey to the United States all public property of the Provinces, bind the Government to assume and discharge their funded debt and contingent liabilities to the amount of \$85,700,000, guarantee \$10,000,000 to the Hudson Bay Company in full discharge of all claims to territory or jurisdiction, require a survey of the public lands according to our system, etc. Of course its principal feature is the internal improvement project suggested in Mr. Taylor's letter. This lies in the three following articles:

ARTICLE VII. The United States, by the construction of new canals, or the enlargement of existing canals, and by the improvement of shoals, will so aid the navigation of the St. Lawrence River and the great lakes that vessels of fifteen hundred tons' burden shall pass from the Gulf of St. Lawrence to Lakes Superior and Michigan: *Provided*, That the expenditure under this article shall not exceed \$50,000,000.

ARTICLE VIII. The United States will appropriate and pay to "the European and North American Railway Company of Maine" the sum of \$2,000,000 upon the construction

of a continuous line of railroad from Bangor, in Maine, to St. John, in New Brunswick: *Provided*, "The said European and North American Railway Company of Maine" shall release the Government of the United States from all claims held by it as assignee of the States of Maine and Massachusetts.

ARTICLE IX. To aid the construction of a railway from Truro, in Nova Scotia, to Rivière du Loup, in Canada East, and a railway from the city of Ottawa, by way of Sault St. Marie, Bayfield, and Superior, in Wisconsin, Pembina, and Fort Garry, on the Red River of the North, and the valley of the North Saskatchewan River, to some point on the Pacific Ocean north of latitude 49 degrees, the United States will grant lands along the lines of said roads to the amount of twenty sections, or 12,800 acres per mile, to be selected and sold in the manner prescribed in the act to aid the construction of the Northern Pacific Railroad, approved July 2, 1862, and acts amendatory thereof; and in addition to said grants of lands, the United States will further guarantee dividends of five per cent. upon the stock of the company or companies which may be authorized by Congress to undertake the construction of said railways: *Provided*, That such guaranty of stock shall not exceed the sum of \$30,000 per mile, and Congress shall regulate the securities for advances on account thereof.

*The Red River Settlement.*—The Red River settlement now contains a population of about 10,000, distributed over a territory whose radius is about sixty miles. The centre of business is at the town of Winnipeg, which is the seat of government of the Hudson Bay Company, and their headquarters; Fort Garry is also there. The settlement was represented last summer to be in a prosperous condition, the farmers being much more independent and comfortable than in the newer settled portions of Canada. Many of them cultivate 300 or 400 acres, and have 80 to 100 head of cattle and horses. All the teaming and transport business is done with carts and cattle. Over 4,000 cart-loads of English merchandise came into the Red River country by way of St. Pauls (Minn.) last summer, returning with furs as soon as loads could be obtained. Specimens of the agricultural and mineral resources of the country were sent to the Paris Exhibition. Much interest was felt throughout the settlement in the success of the confederation scheme, and a public meeting was held in Winnipeg in December, to memorialize the Imperial Government in behalf of that measure, and also to express a desire to act in unity and coöperation with the neighboring colonies of Vancouver and British Columbia to further British interests and confederation from the Atlantic to the Pacific.

*The Copper-Mines of Canada.*—"Hunt's Merchants' Magazine" for October, 1866, contains an account of these mines. The Bruce mines, Lake Huron, owned by the Montreal Mining Company, have yielded, since their opening, in 1847, about 9,000 tons of 18 per cent. copper. In 1861, 472 tons of 17 per cent. were taken out. The deepest working is 50 fathoms from the surface, and the number of men employed 34. The Acton mine, lot 32, range 3, had yielded, up to 1861, about 6,000 tons, averaging 17 per cent. During the first four weeks work, in 1859, about 300 tons of ore, containing nearly 30 per cent., were quarried in open cuttings, and without making much impression on the quantity in sight. The ground has been worked on the general slope of the bed to the depth of about 10 fathoms. The



Upton mine, Upton, lot 51, range 20, has yielded 14 per cent. copper. The quantity of rock excavated is not stated. Bissonet mine, Upton, lot 49, range 20, exhibits a bed of  $3\frac{1}{2}$  feet thick, and the ore lies in disseminated masses of various sizes up to 20 inches long by 6 to 9 inches thick. It is estimated that the bed would yield from half to three-fourths of a ton of 10 per cent. ore to a fathom. In the Wickham mine, Wickham, lot 15, range 10, an experimental shaft has recently been sunk to a depth of about five fathoms, in which good bunches of ore have been met with. About 4,000 tons have been taken out, yielding 30 per cent. The Yales mine, Durham, lot 21, range 7, has been opened to a depth of from two to six fathoms, revealing good lumps of ore, mixed with calspar and wall rock. At St. Flavière, about five leagues above the Chaudière, and two leagues from the St. Lawrence, is the Black River mine. In one spot native copper occurs in small masses; and the whole band has a striking resemblance to the upper copper-bearing series of Lake Superior. At Harvey's Hill mines, Leeds, lot 18, range 15, there occurs in a breadth of about 1,000 feet eight courses, composed chiefly of quartz, with various proportions of bitter spar, chlorite, and calspar, carrying in parts as much as two tons of 20 per cent. ore to a fathom. The rock of the country is a talcoid mica slate. An adit level is being driven through this slate, of the length, when completed, of 220 fathoms. The number of men employed is about 50; but the quantity of ore taken out is not given. At the St. Francis mine, Cleveland, lot 25, range 12, the bed has an average thickness of three feet, and has been traced a distance of 90 fathoms. The monthly yield of ore is about 55 tons of 10 per cent. The Huntington mines at Bolton yield about 10 tons of 10 per cent. ore per fathom. The ores of all these mines are the yellow, variegated, and vitreous sulphurets, mixed in some instances with copper pyrites.

*Gold Mines of Canada.*—In Canada, the gold-mining operations have been principally carried on in the Chaudière division, in alluvial diggings on the Gilbert River, in the Seigniorship of Rigaud Vandreuil (De Léry). About fifty men were working there at the date of the last report (June, 1866). One or two companies are about erecting mills for quartz-crushing. The gold hitherto extracted is estimated as follows:

In summer of 1863.....	\$50,000
In June, 1864.....	5,000
Year ending June, 1865.....	150,000
“ “ “ 1866.....	100,000

The probable falling off in 1866 is explained by the prevailing excitement with regard to quartz crushing, which caused an abandonment of alluvial operations. The largest nuggets found in the Chaudière valley have been worth \$300, and most of the alluvial gold has been obtained in a limited area. In that district, and also in other parts of Canada East,

gold-bearing quartz veins have been discovered of sufficient richness to pay a handsome profit on the cost of crushing and separating.

*Gold-Mines of Nova Scotia.*—The productiveness of these mines appears to be permanent. They are worked under the direction of the Commissioner of Mines, and the Government reserves a royalty of three per cent. on the gross receipts. The following is the commissioner's report of the number of hands employed in the gold-mines, the tons of quartz raised and crushed, and the daily yield of gold per man employed, from 1862 to 1865 inclusive:

## NUMBER OF HANDS EMPLOYED.

	Yearly aggregate.
1865.....	212,966
1864.....	252,720
1863.....	273,624
1862.....	156,300

Total..... 895,310

	Daily average.
1865.....	500
1864.....	877
1863.....	810
1862.....	682.583

Mean..... 717.395

## QUARTZ RAISED.

	Yearly aggregate.
1865.....	50,002,500
1864.....	42,469,600
1863.....	34,150,490
1862.....	18,480,000

Total..... 140,102,500

	Daily av. per man.
1865.....	234,795
1864.....	168,050
1863.....	124,807
1862.....	86,410

Mean..... 156,482

## QUARTZ CRUSHED.

	Yearly aggregate.
1865.....	48,846,600
1864.....	42,887,686
1863.....	34,150,400
1862.....	13,480,000

Total..... 139,364,686

	Average gold 100 lb.	
	Dwt.	Grs.
1865.....	1	0.902
1864.....	..	22.312
1863.....	..	19.647
1862.....	1	0.790

Mean..... 22.805

## DAILY YIELD OF GOLD PER MAN.

	Dwt.	Grs.	Gold val.
1865.....	2	8.371	\$2 33
1864.....	1	14.030	1 58
1863.....	1	0.662	1 02
1862.....	..	22.885	94

It also appears from the commissioner's report that the aggregate amount of gold upon which royalty was paid in 1865 exceeded that of the preceding year by about 33 per cent., amounting to 24,687 ozs. for the former period, and 18,744 ozs. for the latter, showing an increase of 6,123 ozs. There is also an increase



of the average yield of gold to the ton of quartz of about five per cent., and a very considerable advance in the amount of the yield for each man engaged in mining. The value of gold produced in 1865 was \$509,080 (paying \$18,038 in rents and royalties); in 1864, \$400,440; in 1863, \$280,020, and in 1862, \$145,500.

*The Coal-Fields of Nova Scotia.*—The most important coal-fields of this province are in Cumberland County, lying in the immediate vicinity of the Bay of Mines; those upon the Gulf of St. Lawrence, of which Pictou is the centre; and those of the eastern part of Cape Breton, contiguous to the harbor of Sydney. The Cumberland coal-fields have been but slightly worked, the largest veins being some twelve miles' distance from navigable waters. At Pictou, the coal-fields lie immediately upon tide-water. One of the veins has a thickness of 36 feet, more than 26 feet of workable coal. The deposits near Sydney have been found to underlie 250 square miles, an area nearly equal to the entire workable area of the anthracite coal-fields of Pennsylvania. An excellent harbor is contiguous to them, with which the more important veins will soon be connected by railway. As soon as the necessary works can be completed, the supply from the above-mentioned mines can be made equal to any possible demand. It is estimated that 50,000,000 tons of coal can be raised from them without going below water-level. There are several other deposits in Cape Breton, which have been only slightly worked. The following statements, taken from Mr. Taylor's special report to the United States Treasury Department (from which the facts above given have been gathered) show the amount of coal raised and sent to market from Nova Scotia for ten years, up to the end of 1865:

YEARS.	Tons.	YEARS.	Tons.
1856.....	291,934	1861.....	384,548
1857.....	267,808	1862.....	393,621
1858.....	286,618	1863.....	424,325
1859.....	267,496	1864.....	500,000
1860.....	304,129	1865.....	632,854

In reference to the subject of coal-mining the chief Commissioner of Mines, Mr. Hamilton, says: "There are now 30 collieries in operation in Nova Scotia. Some of these are only barely opened, but, with one or two exceptions, works are vigorously prosecuted in all of them, and with good prospects of great and early extension at an early day. In addition to the territory of the General Mining Association, there are now 31 square miles of territory under coal-mining leases. The extent of acres under license amounts to 1,920 square miles. The spirit and activity exhibited in carrying on explorations upon the greater number of these areas under license, and the success which, in many instances, attends such explorations, indicate an early and important increase in the number of collieries in Nova Scotia."

*Immigration.*—The total immigration into Canada, in 1865, at all points, with an approximate estimate of the distribution of the immigrants, is reported as follows:

Landed at Quebec in 1865, 19,795 steerage passengers, of whom there remained in Canada.....	4,577
Arrived in Canada from the States, by Suspension Bridge and Detroit, as per return of Hamilton Agent, 25,748, of whom there remained in Canada.....	11,276
By steamers on Lake Ontario, from Rochester and Oswego, as per return of Toronto Agent.....	68
By steamers from Oswego and Cape St. Vincent, as per return of Kingston Agent.....	1,446
Number who reached the Ottawa Agency, as per return of Mr. Wells.....	193
By Lake Champlain to Montreal, as per return of Mr. Daley.....	624
By steamers from Portland, from 1st January to 27th April.....	610
By steamers from Portland, from 23d November to 31st December.....	164

Total remaining in Canada..... 18,958  
Of which number about 16,000 appear to have settled in Upper Canada, and the remainder in Lower Canada.

*Commercial.*—The *Montreal Gazette* gives a comparative statement of the imports and exports from that port for the years 1865 and 1866, as follows:

YEARS.	Imports.	Exports.
1865.....	\$19,843,448	\$7,512,752
1866.....	28,793,321	8,599,030
Increase.....	\$8,949,873	\$1,806,278

The *Montreal Gazette* gives the following as the amount of produce shipped from Portland into various provincial ports since the abrogation of the reciprocity treaty up to December 31, 1866:

PORT.	Flour, bbls.	Other merchandise, tons.
St. Johns, N. B.....	110,874	973
Halifax, N. S.....	36,360	286
Amherst, N. B.....	600	.....
Annapolis, N. B.....	300	.....
St. Stephens.....	3,720	.....
Total.....	151,854	1,259

The *Gazette* adds that no return has yet been made of the quantity of flour shipped by way of the St. Lawrence, but 300,000 barrels is not too large an estimate for the quantity shipped to the lower Provinces from Canada direct. This would be about two-fifths of the average annual exports of Canadian flour to the United States during the time that the treaty was in force. The *Gazette* maintains that, as regards breadstuffs at least, Canada has not suffered by the abrogation of the treaty.



IMPORTS INTO CANADA FOR THE FISCAL YEAR ENDING JUNE 30, 1866.

ARTICLES.	Total value of Imports.	FROM BRITISH COLONIES.				From the United States.	From France.	From Germany.	From other Foreign Countries.	Amount of Duties received.
		From Great Britain.	North America.	West India.						
Goods paying Specific Duty	\$185,474	\$26,980	\$1,318		\$157,176					\$64,540 88
Specific and <i>ad valorem</i> Duties.....	5,227,302	2,201,502	156,450		1,299,520	\$177,516		\$1,261,780		2,007,756 18
" 30 per cent. <i>ad valorem</i> ".....	176,189	107,260	506		45,340	5,645		15,856		51,586 30
" 25 " " ".....	121,732	92,325	6,406	75	17,062	5,061		494		21,048 85
" 20 " " ".....	24,976,506	20,878,587	71,649	8,151	2,488,790	901,510		374,074		4,980,413 58
" 15 " " ".....	2,019	1,501			481	37				302 76
" 10 " " ".....	2,552,615	2,166,847	1,811	23	855,359	86,594		17,678		255,076 28
Free Goods—Coin and Bullion.....	5,191,842	9,931	53		5,181,858					
Other Free Goods.....	15,335,201	3,515,097	619,669	710	10,880,667	88,427		63,084		
Totals.....	53,798,580	28,994,530	887,922	105,660	20,421,253	1,245,090		393,810		7,830,724 83
Foreign Reprints of English Copyright Works.....	8,439				8,439					
Grand Total.....	\$53,802,319	\$28,994,530	\$887,922	\$105,660	\$20,424,692	\$1,245,090		\$393,810		\$7,830,724 83

EXPORTS FROM CANADA FOR THE FISCAL YEAR ENDING JUNE 30, 1866.

ARTICLES.	Total Value.	TO BRITISH COLONIES.				United States.	France.	Germany.	Other Foreign Countries.
		Great Britain.	North America.	West India.					
Produce of the Mine.....	\$422,570	\$199,845	\$614		\$222,611				
" " Fisheries.....	980,311	114,154	76,433		171,908				\$598,790
" " Forest.....	13,846,986	7,144,317	90,080	\$19,026	6,461,015	\$111,174	\$32,035		57,962
Animals and their Products.....	12,682,683	1,326,055	166,990		11,184,741	68			4,829
Agricultural Products.....	16,651,074	2,217,975	1,114,049	6,394	13,298,008	400			14,248
Manufactures.....	989,936	168,780	104,749	27,827	604,335	40			24,205
Coin and Bullion.....	2,397,591	214,973			2,182,618				680
Other Articles.....	668,815	4,556	18,192	352	645,025	10			
Total value of exports.....	48,639,966	11,330,155	1,571,116	63,993	34,770,261	111,092	32,035		700,714
Fifty-eight vessels built at Québec, during the fiscal year ending 30th June, 1866.									
Thirty-eight: 27,258 tons, at \$40 per ton; and twenty: 13,857 tons, at \$38 per ton.....	1,616,886	1,591,486					20,760		
Total value of exports as reported.....	\$50,256,852	\$12,951,641	\$1,571,116	\$63,993	\$34,770,261	\$116,332	\$52,795		\$700,714
Value of exports from Québec.....				\$9,029,829					
" " Montreal.....				6,831,635					
" " Gaspé and Outports.....				886,360					
" " Rimouski.....				87,899					
" " New Carlisle.....				1,587					
Total from seaports.....				\$16,787,310					
" " inland ports, as reported.....				33,469,542					
Estimated amount short returned at inland ports.....									\$50,256,852
Goods not the produce of Canada.....									4,183,692
Grand total of exports for fiscal year ending 30th June, 1866.....									1,877,886
									\$56,318,380



## IMPORTS AND EXPORTS OF NEW BRUNSWICK, NOVA SCOTIA, PRINCE EDWARD ISLAND, AND NEWFOUNDLAND, FOR THE YEAR 1866.

PROVINCES.	Imports.	Exports.	Imports, per head.	Exports, per head.
New Brunswick.....	\$7,086,595	\$5,534,726	\$26	\$20
Nova Scotia.....	14,381,662	8,830,693	39	21
Prince Edward Island.....	1,905,075	1,512,825	21	17
Newfoundland.....	5,335,310	5,556,630	43	43

The following is the official statement of products of the fisheries entered at Quebec during the year 1866. The number of vessels employed was 253, with a total tonnage of 15,925 tons :

ARTICLES.	Quantity.	Value.
Salmon.....	1,427 bbls.	\$28,540
Mackerel.....	677 "	4,062
Cod.....	17,810 "	71,040
Herring.....	38,116 "	116,166
Trout.....	130 "	1,040
Oysters.....	3,638 "	9,089
Salmon (Fr.).....	3,343 "	4,179
Fish-oil.....	17,025 galls.	12,770
Cod-oil.....	73,355 "	50,947
Seal-oil.....	45,588 "	36,470
Whale-oil.....	3,482 "	2,089
Total.....		\$335,892

BURGESS, GEORGE, D. D., bishop of the Protestant Episcopal Church for the Diocese of Maine, an American clergyman, scholar, and poet, born in Providence, R. I., October 31, 1809; died at sea on the deck of the brig Jane, a few miles from the harbor of Miragoâne, Hayti, April 23, 1866. Bishop Burgess was a son of the Hon. Thomas Burgess, a judge of the Court of Common Pleas of Rhode Island, and a jurist of great learning and distinction. The early education of the future bishop was acquired in the Grammar School of Brown University in his native city, and he entered the university in 1822, when not quite thirteen years of age, graduated as valedictorian of his class in 1826, the youngest member of the class, which contained an unusual number of eminent men. He entered his father's office as a law student soon after his graduation, and continued the study of the law for three years, being, however, tutor in the university for two years of the time. Having attained the age of twenty years, he was dissatisfied with the legal profession, and his tastes as well as his religious views inclining him to the ministry, he sailed for Europe, and during the next three years studied theology at Göttingen, Bonn, Halle, Heidelberg, and Berlin. Returning to this country in the spring of 1833, he was ordained deacon by Bishop Griswold in June of that year, and the following autumn took charge of Christ Church parish, Hartford, Conn. He was ordained priest by Bishop Brownell early in 1834, and was rector of Christ Church till 1847, when, on his birthday, October 31st, he was consecrated bishop of the diocese of Maine, accepting at the same time the rectorship of Christ Church, Gardiner, Me.,

which office he held up to the time of his decease. As an author he was favorably known. Among his published poems are two academical pieces, "The Strife of Brothers," and "The Martyrdom of St. Peter and St. Paul," the centennial hymn for the hundredth anniversary of the founding of Brown University, and a metrical version of a portion of the Psalms. He had within the last three or four years prepared a new poetical translation of the Psalms, which has not been published. His principal prose works were "Pages from the Ecclesiastical History of New England," "The Last Enemy Conquering and Conquered," and a volume of sermons on "The Christian Life." He received the honorary degree of D. D. from Union College in 1847, and the same year also from his *alma mater*.

Bishop Burgess was a man of fine culture, and in some directions of elegant and profound scholarship. He was an excellent Hebrew scholar, was thoroughly versed in the classics, and surpassed by few in his familiarity with English literature. He was also well versed in history, and in ecclesiastical history was an authority. His prose writings were marked by clearness, terseness, and elegance of style. His poems were melodious, polished, and gave evidence of poetic feeling, but lack somewhat in poetic fire and inspiration. As a preacher he was not so popular as he deserved to be. This was perhaps, in part, due to the fact that, while the style and thought of his discourse were always admirable, and his delivery at times impressive, there was a lack of that kindling life and enthusiasm which powerfully engages the mind, stirs the heart, and, finally, sweeps every thing before it. As a bishop, he had charge of a great extent of territory, with but about twenty parishes widely scattered over it, and while to the severe diocesan labors thus thrown upon him were added the pastoral cares of a large parish, he performed all his duties faithfully and conscientiously, shrinking from no burden or toil, if only he might promote the cause he had at heart. In the House of Bishops he occupied a prominent position, one due more to his intellectual superiority than to any other circumstances. Of late he had been regarded as decidedly the leader of the moderate church party in that house, though considerably younger than some of the bishops of that party. His mind was so carefully disciplined, and his habits of thought so accurate and thoroughly trained, that he could be relied upon at any time for the preparation



of any important paper where accuracy and promptness were equally requisite. His character was remarkable for its symmetry. In him no faculty was dwarfed or unbalanced, but all the powers of his mind existed and acted together in entire harmony. He was not great in any one particular, yet the nice polish, and culture, and evenness everywhere apparent, alone served to point him out in the community as no common man. In him were seen an ardent imagination and high poetic fancy existing in connection with all the attributes of a pre-eminently calm, clear, judicial mind. His life was beyond reproach. His deep and unaffected piety gave color and glow to every action and modified every thought. His death was very sudden. He had sought the climate of the West Indies in the autumn of 1865, in the hope of improving his health, and obtaining relief from a troublesome throat affection. His general health had somewhat improved, but his throat was still seriously affected. He had been busy, however, in promoting an Episcopal mission in Hayti. He had turned his face homeward, was on his way from Miragoâne to Port au Prince, when he was suddenly seized with a profound paralysis, and died in a moment. "It was," says one of his friends, "less like death than like a translation."

BURMAH, a country in Farther India. In consequence of a war with England, which terminated in 1826, the provinces of Aracan, Yé, Tavoy, Mergui, and part of Martaban, were annexed to British India, to which, in 1853, Pegu and its provinces were added. In 1862 the Burmese provinces annexed to India, together embracing 90,070 English square miles, and 1,897,897 inhabitants, were erected into the province of British Burmah. The part which remained independent and now constitutes the kingdom of Burmah, contains about 190,000 English square miles, with 4,000,000 inhabitants.\* It is composed of the kingdoms of Burmah and Pong, with portions of the countries inhabited by the Khyen, and the Shan countries and the Kubo valley (Munipoor) re-annexed to it by treaty with the British in 1834. The government is hereditary and despotic; the sovereign is assisted by a council of the nobility, over whom he has a kind of feudal jurisdiction, and the titles of the latter are not hereditary. The religion of the mass of the inhabitants is Boodhism. The Khyens and other wild tribes have a special idolatry of their own. In 1866 Burmah was again the scene of a revolution (the fourth since 1836), of which the Rev. Mr. Kincaid, who was for many years a prominent Baptist missionary in that country,

gives the following account: "On the 2d of August, in the afternoon, two sons of the King of Burmah, the Mengoon prince, twenty-three years old, and his brother, seventeen years old, with some forty chosen men, rushed to the palace of their uncle, who was heir apparent, and murdered him, and then two half-brothers and several of the principal ministers of state, and, no doubt, every distinguished man suspected of stern, unyielding attachment to the king. Two of the king's most trusted ministers—the Pabay Mengee, and Loung Shay Mengee—appears to have been among the first who were cut down by the assassins. They were highly respected by all foreigners as well as by the natives. They were comparatively young men, and during the past fifteen years had risen step by step to the highest rank of the nobility. Two or three half-brothers of the rebel princes made their escape, and one, the Thongzai prince, had reached the Shan states, east of the capital. Several governors of distant provinces were assassinated, and so soon after the explosion in the capital that there can hardly be any doubt of a carefully laid and promptly executed plan for overthrowing the king's government. The king himself appears to have been left helpless in the palace. Very likely the men still around the king were in the secret, but, with consummate hypocrisy, pretending the greatest alarm and anxiety. The king has some thirty or thirty-five sons, and as many daughters, the larger number under twelve years old. All, or nearly all, the sons will perish by the hands of assassins. Political necessity is the excuse for such barbarous proceedings. The two young princes, who seem to be the leaders in this 'reign of terror,' are only the tools of a few ambitious men, and probably behind them, a few still more ambitious women; and among these women, the mother of the two young princes is no doubt the prime mover in this revolution. The two young princes, with a body of men, after the execution of all persons supposed to be in their way, took a steamer and went down the river. Stopping at all the principal towns, they took the governor and chief men away, replacing them by creatures of their own. It seems they halted at Mentbla, a large town and capital of a large district bordering on British Burmah. Here they took up their quarters, but dispatched the steamer with letters to Colonel Phayre, the chief commissioner of British Burmah. All or nearly all the foreigners left the capital for Rangoon, in British Burmah, and among them the English resident at the court of Ava." One of Messrs. Todd, Findlay, & Co.'s steamers with a large flat in tow, was at the city, and the foreigners succeeded in making their escape. Possibly they might have remained in safety, but it was hazardous when all government was broken up. The latest accounts received from Burmah (up to November, 1866) state that the revolution had been suppressed. British Burmah is the seat of flourishing Baptist missions (on which

\* "C. Ritter (*Erkunde von Asien*, vol. iv.) gave to Burmah 4,000,000 inhabitants. Capt. Yule ('A Narrative to the Court of Ava in 1855,' London, 1858) regarded this figure as too high, and he estimated the population of Burmah Proper from 24° north latitude to the frontier of the British possessions at no more than 1,200,000, and that of the whole Burmese empire in the widest sense of the word, at no more than 3,600,000. More recently Dr. C. Williams ('Journal of the Asiatic Society of Bengal,' 1864, No. 4) again estimates the population at 4,000,000."—*Geogr. Jahrbuch* for 1866, p. 67.



see ANNUAL CYCLOPÆDIA for 1865, page 107, and the article BAPTIST, in the present volume).

BURTON, REV. WARREN, a Unitarian clergyman, lecturer, and author, born in Wilton, N. H., November 23, 1800; died at Salem, Mass., June 6, 1866. With no better previous advantages than a district school, he achieved by himself a preparation for college, with the occasional instructions of a parish minister who lived two miles distant, and entered Harvard College in 1817, graduating with distinction in 1821. After the usual probation of teaching, he entered the Theological School at Cambridge, where his course of study was interrupted by ill-health, and during absence from the school he preached as an evangelist, by permission of the faculty. In 1826 he completed his theological course, and was ordained as the first pastor of a new Unitarian society in East Cambridge, March 5, 1828, but resigned his charge June 7, 1829. He was not again settled, for he preferred the temporary charge of societies to an actual settlement. On the first of August, 1844, he entered on the duties of a ministry at large in Boston. This ministry ceased in the autumn of 1848, leaving on his mind the im-

pression that reform in the homes of the people was much needed. To this end, he lectured in various places until called to the ministry at large, and the chaplaincy of the prison in Worcester, on which duties he entered in April, 1849. At the close of the year he resigned the ministry, and gave himself wholly to the cause of education in the home, for the remainder of his life. He was chaplain to the State Senate in 1852, and to the House in 1858 and 1860; also to the State convention in 1853. His efforts in the cause of education were unwearied. His "District School as it Was," from its lively and spirited pictures of the wretched condition of the common school in the rural portions of New England, greatly aided in revolutionizing public sentiment and public action in rural school edifices and management. His lecture on "Scenery Showing; or, Word Painting of the Beautiful, Picturesque, and Grand in Nature," opened a new field of educational discussion and practice. He was also the author of "Helps to Education in the Homes of our Country," a volume of 368 pages, published in 1863, and containing a series of subjects of the highest practical value, discussed in a most interesting and masterly manner.

## C

CALIFORNIA, one of the Pacific States of the Union, having Oregon on the north, Nevada and Arizona on the east, Lower California on the south, and the Pacific Ocean on the west. It was admitted to the Union September 9, 1850. Its actual area, long in doubt, in consequence of the disputed boundary between it and Nevada, has at last been fixed at 188,981 square miles. Its population in 1860 was 379,994, and is now estimated in round numbers at 500,000. There are forty-nine organized counties in the State. The Governor, till January, 1868, is Frederick F. Low, whose official residence is at Sacramento, the capital. His salary is \$7,000 in gold. The Legislature meets biennially, its members being chosen in the odd years, 1865, 1867, 1869, etc. There was no general election held during the year 1866. The Legislature, elected in 1865, had 32 Union Republicans and 8 Democrats in the Senate, and 61 Union Republicans, and 19 Democrats in the House. The latest general election held in the State was a special one for justice of the Supreme Court, held October 18, 1865, when Sanderson, the Republican candidate, received 33,221 votes, and Hartley, the Democratic candidate, 26,245.

*Mining* is still the most important interest in California, though agriculture and manufactures are gaining upon it. The mineral products of California, as well as those of the other States and Territories of the Pacific slope, have been made the subject of special investigation during the past year by the United States Government.

From the report of the special commissioner, Mr. J. Ross Browne, made in January, 1867, we gather the following items relative to California. The product of gold in the State has been decreasing for thirteen years; placer mining has fallen to a very small aggregate, and hydraulic washing for gold is less profitable and productive than formerly. The yield of the quartz-mines is slowly increasing. There are 66 quartz-mills in the State, not all of them, however, now in operation. Of these 52 are propelled by water, 11 by steam, and 3 by water and steam. The product of gold in the State in 1866, partly estimated, was set down in round numbers at \$25,000,000. Very little silver has been mined in California separately from that contained in the gold. Copper is becoming an important product of the State. The following table shows the exportation of copper ores from San Francisco since 1862:

YEAR.	To New York.	To Boston.	To Swansea.	Total Tons.
	Tons.	Tons.	Tons.	
1862.....	86	3,574	.....	3,360
1863.....	1,337	4,208	7	5,553
1864.....	4,905	5,064	264	10,234
1865.....	4,146	9,050	2,591	17,787
1866.....	7,676	3,415	10,384	21,476

The quicksilver mines of California are known as the New Almaden mines, and have been open since 1850. In August, 1863, a period of ten years and eleven months, the total amount of ore consumed was 102,313,442 pounds, and the



produce of quicksilver 308,756 flasks, or 23,-519,834 pounds. From November, 1863, to December, 1864, the total product was 46,216 flasks, or 3,566,200 pounds, to which are to be added 720 flasks from washings. In 1865 the gross product was 47,078 flasks, or 3,604,465½ pounds, to which are to be added 116 flasks

from washings. The gross product for 1866 was 30,029 flasks. The other quicksilver mines in California did not average 1,000 flasks per month in 1866. The following is a comparative statement of the amount of quicksilver exported from California to various countries since 1859:

TO	1859.	1860.	1861.	1862.	1863.	1864.	1865.	1866.
	Flasks.	Flasks.	Flasks.	Flasks.	Flasks.	Flasks.	Flasks.	Flasks.
New York.....	250	400	600	2,265	95	1,695	6,800	3,500
Great Britain.....	.....	.....	2,500	1,500	1,062	1,609	10,400	10,400
Mexico.....	103	3,886	12,061	14,778	11,590	7,483	2,650	6,450
China.....	1,068	2,775	13,788	8,725	8,889	18,908	14,250	17,250
Peru.....	571	750	2,804	3,439	3,376	4,300	5,500	5,500
Chili.....	930	.....	2,059	1,746	500	2,674	2,000	2,600
Central America.....	.....	.....	110	40	40	30	.....	.....
Japan.....	.....	.....	50	25	.....	262	.....	.....
Australia.....	325	100	1,850	800	300	103	200	200
Panama.....	133	130	57	424	120	45	.....	.....
Victoria, V. I.....	19	327	116	5	42	21	.....	.....
Total.....	3,399	9,448	35,995	33,747	26,014	36,918	41,800	45,900

Borax was discovered in California in 1856, and since that time but one company has been formed for its production. About two tons of crystal are produced daily.

In agriculture the State has made considerable progress; the culture of the vine is increasing with great rapidity, and the pure wines and brandies from the Pacific coast are rapidly coming into favor in the Eastern markets. Three hundred varieties of the grape have been successfully cultivated in the State, including all the choicest varieties of wine-producing grapes in Europe; and so diversified is the surface and climate of the State, that every variety of wine which can be produced in European vineyards, from the light Rhenish wines and clarets to the heavy-bodied sherry, port, and Madeira, can be produced of better quality than in Europe, from the greater richness of the soil and dryness of the climate. The vineyards of the sierras, being mostly on a volcanic soil, rival the southern Italian and Sicilian vineyards in their production. The vine in California is not subject to the *oidium*, or grape-disease, which has proved so destructive in Europe; nor is it liable to mildew. In Europe the wine crop is a failure as often as one year out of three; in California it seldom or never fails, and the yield is uniformly much larger than that of the best years in Europe. The number of vines already set—all of which will be in full bearing in three years—is estimated at twenty-five millions. The varieties of wine exported, thus far, are *hock*, *champagne*, *port*, and *claret*; the last exported the past year for the first time. The wine-growers also export *Muscatel* and *Angelica*, which are not properly wines, though ranked as such, being made by the addition of sufficient brandy to the clarified must or unfermented wine to keep it from fermenting. These contain usually 18 or 19 per cent. of alcohol.

The wheat product of the State is large, and is constantly increasing. It comprises 34 per

cent. of the entire agricultural product of the State, and the yield per acre is astonishing. The wheat of California is especially rich in gluten, surpassing in this quality the highly-prized Southern flour. The barley crop is also large, exceeding hitherto wheat or any other grain crop, and forming 39 per cent. of the agricultural product of the State. A yield of 60 bushels to the acre is not uncommon, and in the valley of Pajaro 14,900 bushels were raised from 100 acres—an average of 149 bushels to the acre—by Mr. J. B. Hill. The root crops are enormous, and of excellent quality, as are most of the fruits.

Within the past three years, and mainly in consequence of the earnest efforts of Mr. L. M. Prevost, the attention of agriculturists has been turned to silk culture. The climate of California is admirably adapted to this crop. The *morus multicaulis* grows with great rapidity, and yields an immense quantity of leaves, and the worms feed on them with avidity. The worm is very healthy, and produces cocoons of excellent quality. Eight hundred thousand cocoons were brought into market in 1865, and it was thought that six times that quantity would be produced in 1866. Two large silk factories have been established in the State, and the Californians hope, in a very few years, to cease the importation of silk.

The *manufactures* of California are fast attaining a magnitude which, in the older States, has been reached only by many years of slow growth. Woollen manufactures take a high rank. Three million pounds of wool raised on the Pacific slope, besides considerable quantities imported, were used to supply the woollen mills of the State. The principal articles manufactured were blankets, not simply the Mexican *serapé*, but army and other blankets of great excellence. The Government ordered these largely for the army during the war, as being superior to those obtainable elsewhere. Some



cloths of excellent quality are also made. The necessities of the mining districts led at an early date to the establishment of manufactories of mining implements, and as quartz mining increased, and especially as there began to be a demand for mills of the best class to crush the quartz, and furnaces for reducing refractory silver, copper, and lead ores, machine-works were established capable of turning out quartz-crushers and stamps of the highest quality. The building of steam-engines, both stationary and locomotive, has also risen into a thriving business, and rolling-mills for the manufacture of railroad iron for the Pacific Railroad have recently been established. The manufacture of silk has commenced, and that of glass for the supply of the rapidly increasing wine trade is prospering.

The *commerce* of the State is attaining large dimensions. The communications with the Atlantic States are now weekly by two lines, and an active commerce is carried on with the western ports of South America, the Sandwich Islands, China, Japan, and Australia. A regular line of steamers of the first class, receiving a Government subsidy, plying to China and Japan, was established in December, 1866, and will undoubtedly be followed by other lines, and when the Pacific Railroad is completed, as it will be by 1870 or sooner, the carrying trade of Asia and the whole of the farthest East must pass through San Francisco.

The Central Pacific Railroad, the portion of the great thoroughfare which California is to build, is making rapid progress. Beginning at Sacramento, which had steam communication with San Francisco, the road was completed nearly or quite to the summit ridge of the great range, 105 miles eastward, by January 1, 1867, and the cars had been running to a point 93 miles from Sacramento since October, 1866. The summit ridge is 7,042 feet above the sea level. The gradients are better than was to have been expected. From Sacramento to Dutch Flat, 68 miles, the highest ascending grade is 105 feet to the mile, or less than one foot in 50, and the average is only 70; from Dutch Flat to Blue Cañon, 10 miles, the maximum grade allowed by Government, 116 feet to the mile, is reached several times, but the longest plane or continuous stretch of this grade is only  $3\frac{1}{2}$  miles, and after Blue Cañon is passed it is never reached again. From this latter point to the summit, a distance of  $26\frac{1}{2}$  miles, 95 feet to the mile is the highest grade, while the average for this distance is only 84. The tunnel which passes the summit is 1,600 feet in length, and is to be cut through solid granite. There are to be five other tunnels, but none of them will exceed 400 feet in length. The curvatures are better than on most roads over mountain-passes, the sharpest curve being one with a radius of 573 feet. It is expected that Virginia City, Nevada, will be reached by September, 1867, and Salt Lake City by January, 1870, at farthest.

California has taken a high position in its educational system. The report of Hon. John Swett, the Superintendent of Public Instruction, to the Legislature, which met in January, 1866, embraced the two years 1864 and 1865. There were, in 1865, 831 school districts in the State, an increase of 147 since 1863, and in those districts there were 947 schools and 1,155 teachers. There were in the State, in 1865, 95,067 white children between the ages of four and eighteen years, and the whole number enrolled upon the public school registers for 1865 was 50,089, an increase of 2,501 over the previous year; the average daily attendance at the public schools was 29,592 in 1865, against 24,704 in 1864, and 19,992 in 1863. The money for the support of the schools is derived from State and county taxes, a direct property tax levied in the districts, and subscriptions and tuition. The public schools are made free just as fast as the taxes will allow, and there were, in 1865, 293 schools maintained without resort to rate bills. Fully half of the pupils received their instruction free, and the average cost of tuition for the remaining half was only 25 cents per month. The amount of school money received from all sources in 1865 was \$952,930, against \$756,999 in 1864, and \$581,055 in 1863. The amount expended in building and repairing school-houses in 1865 was \$257,804, an increase of \$164,000 over the like expenses in 1863. The valuation of the public school property was \$1,200,000, and the average cost of tuition for each pupil \$10.50 for an average of seven and one-third months for the year.

Of the \$19,657,000 expended by California for all purposes from the organization of the State government up to August, 1865, nearly \$9,000,000 were expended for educational purposes. The average expenditure for each child between four and eighteen years of age in 1865, was twenty cents more than in Massachusetts. The average monthly pay of the teachers was \$74 for males and \$62 for females, an increase in the latter case of \$7.9 over 1864. The salaries of the female teachers were higher than in any other State in the Union, and almost four times as high, deducting board in each case, as in Massachusetts. There was much less difference between the wages of male and female teachers than at the East, and all the leading educators in the State took strong grounds in favor of a more general employment than at present of female teachers in the public schools, not on the ground of cheapness, but because that "to teach and train the young seems to be one of the chief missions of woman."

Aside from the public schools, there was a State normal school, and nearly twenty colleges and seminaries, with a valuation of \$1,500,000, and an attendance of about 2,000. In 1866 the law respecting the school age of children was modified, and the enumeration was made to include only children between five and fifteen years of age. This reduced the number of children of school age about 11 per cent., and the fol-



lowing results were reported in November, 1866: Total number of children between five and fifteen years of age in the State, 84,052; total number enrolled on the school register during the year, 50,173; average number belonging to public schools, 48,091; average daily attendance in public schools, 33,989. The number of pupils enrolled in the normal school was 98, of whom 88 were females and 10 males. Seventeen counties were represented. The number of pupils in the public schools of San Francisco in 1866 was 11,552, and 4,403 were returned as attending private schools. There were three high schools, seven grammar schools, and thirty-one primary schools in the city.

CAMPBELL, ALEXANDER, D. D., founder of the religious denomination called "Disciples of Christ," born in the County of Antrim, Ireland, June, 1786, died in Bethany, Va., March 4, 1866. On his father's side his ancestors were Scotch; on his mother's, French. His early education was received in Ireland, under the superintendence of his father, the Rev. Thomas Campbell, a Presbyterian clergyman, and his riper education at the University of Glasgow, Scotland. In 1809 he emigrated to the United States, and proceeding to Washington, Pa., where his father had previously settled, continued his studies with him until May, 1810, when he commenced preaching at Brush Run, near Washington, Pa. In 1812 he, together with his wife and his father's family, was immersed, to use his own expression, "into the Christian faith." In connection with his father, he formed several congregations, which united with a Baptist Association, but protested against all human creeds as a bond of union, accepting the Bible alone as the rule of faith and practice. He met with much opposition in the assertion of this principle, and in 1827 he was excluded from the fellowship of the Baptist churches. From this date his followers began to form into a separate body, and in 1833 were supposed to number at least one hundred thousand souls. In 1841 Mr. Campbell founded Bethany College in Virginia. In 1823 he commenced the publication of "The Christian Baptist and Millennial Harbinger," in which may be found a complete history of the reform to which he was so thoroughly devoted, and which periodical he continued to edit for forty years. During this time, including his debates, which he merely assisted in bringing out, and two editions of his Hymn Book, he issued from the press fifty-two volumes. He was a man of strong intellect, fine scholarship, and great logical powers.

CANDIA (or CRETE), an island belonging to the Turkish empire. The area of Candia, inclusive of the adjacent small islands, Dia, Yanisades, Elasa, Kupho-nisi, Gaidaro-nisi, Gaudo, Gaudo Pulo, Elaphonisi, Pondico-nisi, Grabusa, Agria Grabusa, Theodoro, 3,319 square miles (the smaller islands have about thirty-two). The population is estimated by Captain Spratt ("Travels and Researches in Crete," London,

1865) at about 210,000, living in about 800 villages, and the three towns of Candia, Canea (Khania), and Retimo, which towns have together a population of 35,000 inhabitants. A work on Candia, more recently published in Greece, estimates the number of villages at 1,046, and the population at 300,000.

The island of Candia, which has for about 200 years belonged to the Turkish empire, has often been the theatre of bloody attempts on the part of the people to regain their ancient independence, or become united with Greece. Another uprising of this kind occurred in the year 1866, and was not at the close of the year suppressed. The movement began in April, when representatives from all parts of the island assembled at Koutzounaria, about one hour's distance from the city of Canea, where the Governor-General of the island and the foreign consuls reside. Attended by several thousands of unarmed people, the Bishops of Sidonia and Kissamos met with the representatives of the towns of Canea and Retimo, and of the country districts, and together they drew up a petition to the Sultan, in which they confined themselves to asking for such privileges only as had been guaranteed to them by the great powers. At the same time another address was confidentially transmitted to the sovereigns of France, Great Britain, and Russia, which expressed more fully the real desires of the Cretan people. For over three months no reply whatever was made by the Turkish Government; but troops to the number of about 22,000 were gradually concentrated upon the island, and pushed forward into the interior with the design of seizing upon the strategic points. Then, on July 22, 1866, the Grand Vizier issued a letter to the Governor-General, in which the Turkish Government refused even to entertain complaints, and threatened severe penalties upon those who should continue to offer them. The Governor was directed, in case of further persistence, to attack and disperse the Cretan assemblies, and to arrest and imprison their chiefs in the fortresses.

Ismail Pacha, the Governor, forthwith issued a proclamation, in accordance with these orders. In reply, the Cretan General Assembly, then in session at Prosnero, decided to take up arms, and on August 1st they addressed the following manifesto to the consuls of the Christian powers:

#### PROTEST OF THE CRETANS ON TAKING UP ARMS.

PROSNERO, August 1, 1866.

The undersigned, representatives of the Christian population of Candia, met together in a General Assembly of the Cretans, think it their duty to make you witnesses of the violence which has urged them, in spite of themselves, to take up arms for their legitimate defence. Hellenes, both in origin and language, we combated, in company with our brothers of Greece, during the whole of the war of independence, without ever having been admitted to enjoy the fruits of liberty. And yet, in assembling in this place, we had never dared to ask for any thing beyond the rights which the protecting powers had guaranteed to us by treaties and protocols; we



had only presumed to claim the privileges which the Sultan had spontaneously promised us by the *hatti-kumayum*. But the Governor-General has perverted the sense of the humble request which we had presented pacifically, asking for fulfilment of sacred promises. After having let us wait three months, he has now at last obtained from the Sublime Porte a negative and menacing reply, and presents himself before us in arms to oppose force to right.

In making the consuls of the Christian powers witnesses of the above facts, we now take up arms in our own defence, and render the authorities responsible, in the eyes of the civilized world, for the consequences.

(Signed by the representatives of the Christian population of Candia.)

On the following day, August 2d, the Governor issued a counter-proclamation to the inhabitants of the island, not referring at all to the grievances of the Cretans, but simply announcing that the local authorities would disperse by force of arms any assembly they might encounter, and forbidding every villager to harbor or in any way assist or join the chiefs of the revolt. The contest now assumed the character of a religious war. The Turkish population committed the most outrageous cruelties against the Christians, and even attacked several foreign consulates, among others that of the United States, when the consuls remonstrated against the atrocities. Several foreign governments were induced by these events to order war-vessels to Candia for the protection of the foreigners and native Christians. The insurgents assembled in the mountains, especially in the district of Sphakia, in the southern part of the island, a force of about 20,000 men, and many women and children from the plains were removed there to protect them from the barbarities of the Turks. In the same month the Cretan Assembly made a direct appeal to the President of the United States, asking the intercession of the United States to obtain the intervention of the great powers. On September 2d the representatives of the several eparchies met in General Assembly at Sphakia, and published a declaration of independence from Turkey, and of annexation to Greece. This document recites the part taken by Candia in the struggle for Grecian independence in 1821-'29; the fate awarded her by the great powers; the violation by Turkey of the conditions prescribed by those powers; the several revolts of 1833, 1841, and 1858, when certain privileges were wrested from their rulers, which have never been carried into execution. It speaks of the advantages of civilized government as contrasted with the retrograde influence of the rule of the Koran. It refers to the recent respectful petition for redress, and to the insulting manner in which it had been refused. It declares that the Christian population never under Turkish rule enjoyed security for their lives, honor, or property; that they are now especially subjected to acts of violence, barbarism, and sacrilege, and are driven to the mountains for refuge or into exile. It then declares that "for all these reasons, and in accordance with the oath taken

in 1821, and with the general desire of the people for the union and independence of the whole Greek race, the General Assembly of the Cretans hereby sanctions and decrees: 1. The abolition, forever, of Turkish rule over Candia and its dependencies. 2. The annexation to Greece, their mother country, under the sceptre of his majesty the King of the Hellenes, George I. 3. The execution of the decree is confided to the courage of the brave Cretan people, to the aid of their noble compatriots, and all Philhellenes, to the powerful intervention of the great protecting and guaranteeing powers, and to the puissance of the Most High."

The Turkish Government, in the mean while, had been pressing forward reinforcements, which it drew partly from Egypt, the Viceroy of which country was reported to have offered to purchase the island from the Porte on terms similar to those on which he had previously obtained the Red Sea provinces of Souakim and Massowah. The commander of the Egyptian troops (Saim Pacha) represented himself as authorized to treat with the insurgents. The latter accordingly sent delegates, but soon found out that the Porte was not willing to abide by the stipulations Saim Pacha would make, and they accordingly recalled their delegates.

Fighting throughout the island began on September 9th. The reports of the progress of the struggle widely differed as they came from Turkish or Greek sources, but during the first weeks the Cretans appear to have gained important advantages. On the 14th of September Kirith Mustapha Pacha, having arrived in the character of imperial commissioner, issued a proclamation promising concessions to the Christians, and granting five days during which they could make their submission. He also ordered the burning of the villages and other barbarities committed by his troops to be stopped, but this order was not obeyed. On the 14th and 16th of September two regiments of Egyptian troops, under Ismail Pacha, arrived. On September 17th the Cretan Assembly published a proclamation, in which the Cretans were exhorted to reject the specious words by which this imperial commissioner tried to lure them, as they could have little to expect from "the man who, during thirty years, oppressed our country, and hung upon trees so many generous martyrs of liberty." On the 19th the Assembly issued another proclamation, enjoining upon the Cretans humane conduct toward prisoners and unarmed people, in return for Moslem barbarity. They should not be driven to retaliation, but on their side conduct the war on Christian principles, sparing the weak and defenceless. On the 22d of September the combined Turkish and Egyptian forces, numbering 20,000 men, assaulted the Cretan camp, extending from Malaxa to Keramia, and were repulsed. The next day the insurgents, having received 2,000 reinforcements, assumed the offensive, and drove the Turks on board their ships, with a loss of 3,000 prisoners. The Cretans



then attacked the heights of Keruza, which command Canea, but were repulsed. Subsequently the Turks were reënforced by the arrival of 8,000 Egyptians, seven Turkish battalions, and considerable artillery. On a renewal of the battle, the Greeks were obliged to fall back upon the mountains of Sphakia. At this period the insurrection was reported to be spreading in the eastern part of the island, and to have broken out in four districts, which had previously taken no part in it. On the 24th of September the Cretans addressed another appeal to the great powers through the resident consuls. It alludes to the robberies and murders which the Turks were constantly committing, and asks the Christian powers to afford protection to the defenceless old men, women, and children, or else to furnish vessels on which they could be transported to Greece. The barbarities, according to the testimony of the most trustworthy witnesses, were enacted to a frightful extent, especially in the provinces chiefly inhabited by the Turks. It was estimated that, by the end of September, over a thousand defenceless people had been murdered, and that in Heracleion alone more than three hundred had been massacred!

On October 5th the Turkish commissioner issued another proclamation extending the period for submission to October 10th. The Cretans, however, remained firm, and from October 9th to 12th had fought another four days' battle in the neighborhood of Canea, the result of which, according to Greek accounts, was the retreat of Mustapha Pacha. About the end of October the Turks claimed to have won a victory near Oresta, the Cretans losing 700, besides 3,000 drowned in a cave. In the beginning of November the Turks repeatedly circulated the report that all the chiefs of the insurgents had offered their submission and that the insurrection was at an end. All these reports proved, however, to be inventions, and the Cretan generals, especially Coroneos and Zimbrakakis, were vigorous in prosecuting the war, while the mountainous district of Spahkia was held out to all the defenceless people of the island as a refuge. At the same time, however, the Cretan Assembly made another appeal to the Christian powers, through their ambassadors at Constantinople, to provide protection or means of transport for the helpless population of the island. They were represented as suffering from famine, as well as exposed to outrage; for the Turks destroyed not only houses and provisions, but even agricultural implements and other means of obtaining a subsistence.

None of the incidents of the war made so profound and painful a sensation throughout the civilized world as the capture of the monastery of Arkadi. This monastery is situated in the midst of a large and fertile plain, in the eastern part of the province of Retimo, about two hours' journey from the southern coast of the island. It was built in the reign of the Emperor Heraclius, and has always been famous

for its wealth and beneficence. Its hospitality and charity have been extended to all nations and creeds alike. Every conqueror hitherto has spared it—the Spanish, the Arabs, the Venetians, and even the Janizaries. During the present insurrection it had frequently given shelter to refugees from the Turks, and was used by the Greeks as a storehouse for provisions and ammunition. On the 18th of November Mustapha Pacha arrived at the town of Retimo, and made preparations for marching upon the convent. Collecting all the troops he found there, to those brought by him from Canea, he mustered a force of sixteen thousand men, according to the Greek statement. He then sent forward Suleiman Bey to cut off communications with the Greek forces and prevent their reënforcing the convent, which they attempted to do as soon as they heard of the attack, but were held in check by these detachments of the Turkish force. After these had taken position, the Generals Ali Pacha and Ismail Pacha marched to attack the convent, and on the 21st Mustapha Pacha himself arrived and took chief command. The Turkish account says that the forces immediately engaged in the siege consisted of only 4,000 Ottoman infantry and artillery, Egyptian infantry, Cretan mounted volunteers, and Albanian light infantry. Within the monastery were about 700 persons, of whom from 250 to 300 were combatants, the remainder women and children. A surrender having been demanded and refused, on the morning of the 20th the bombardment began. In the afternoon more artillery and men were sent for, and on the 21st twenty-six heavy guns and two mortars were playing upon the doomed monastery, and the tower which defended the approach to the main building was reduced to ruins. For two days and nights an incessant cannonade was continued, at the end of which time a breach was effected, and the Turks rushed to the assault. By their own account three mines were sprung upon them as the storming party mounted the breach. One of these, they say, exploded upward with no effect. Another inward, with damage to the garrison only. The other was effective, and staggered the head of the attacking column. They admit that the attack lasted all day, and claim that five to six hundred rebels were killed, among whom were the members of the Cretan Assembly from the province, and the abbot of the monastery. They captured forty-two insurgents; and ninety women and children were found in the magazines and sent to Retimo, where they were put under the care of the Greek bishop. The Turkish loss is stated by them at fifty-eight killed and one hundred and fifty-three wounded. By the Greek account it appears that after the assaulting party entered the breach resistance was kept up by the Cretans firing from the cells which surrounded the court, until their fire-arms were disabled by incessant use, and many of the garrison were killed and wounded. The remainder then as-



sembled in the large hall, under the Superior of the convent, Father Gabriel, and resolved to blow up the buildings. The powder was deposited in the cellars, and the match was applied by Emanuel T. Oulas, a monk of twenty years of age. The explosion left one wing of the building standing, in which thirty-nine men and sixty women and children escaped with some wounds. The large and beautiful church was also left uninjured; but this the Turks subsequently plundered and burned. It is said that the wounded were slaughtered by the Turks, after applying torches to their faces to ascertain if they lived. The Greeks claim that more than two thousand Turks were killed and over one thousand wounded by the explosion, and that their army was greatly dispirited by this event. A brother-in-law of Mustapha Pacha was among the killed. The Greek accounts say that the Turks mutilated the Grecian dead in an obscene manner, and left them unburied, in consequence of which the vicinity of the convent became unapproachable on account of the stench.

In the early part of December the Cretan General Assembly issued another proclamation to the people, encouraging them not to submit, but to persevere in the struggle of independence, and holding out the hope that ships would soon arrive to carry away their women and children, and then they would only have to hold out a little longer, and the Christian nations would interfere in their behalf. "The three great protecting powers, aided by America, that friend of humanity, labor for a prompt intervention."

The Turkish Government in so far yielded to the representations made by the Christian governments, as to allow foreign ships-of-war to carry away such persons as desired to leave the island, and thousands of women and children were thus sent to Greece. The Turkish Government repeatedly endeavored to enter into negotiations with the insurgents, and was unsparing in its promises of reform, but it was unsuccessful. The military operations during the month of December were mostly confined to the western part of the island, lying beyond Canea, which is divided into two provinces, Kissamos to the northwest, and Selinos to the south. On the operations in the last week of December, the Athens correspondent of the *London Times* (in a letter dated January 3, 1867), reported as follows: "The steady advance of Mustapha Pacha is subjecting all the western part of Crete, which has hitherto been the stronghold of the insurrection, to the Ottoman arms. He has reëstablished the authority of the Porte in the province of Kissamos, and is now with his army in the heart of Selinos. His knowledge of the interests as well as the feuds of the Greek Mussulmans and Greek Christians in the different provinces has retarded and modified the military operations of the Ottoman troops. He has now forced his way into Selinos and compelled the insurgents and Greek volunteers to abandon their camp at

Zurva, where they were prepared to fight a great battle, without any engagement. According to the accounts sent to Athens, 6,000 troops were collected at Zurva. On the 29th of December, the Russian frigate *Grand Admiral*, arrived in the Piræus with more than 1,000 refugees on board, who were embarked at Tripiti, on the eastern shore of the province of Selinos, near the southwestern precipices of the Sphakian mountains. A Turkish frigate was watching the coast, and the captain called upon the Russian to observe the blockade and not communicate with the insurgents, but the Russian captain replied, that he had orders to embark the non-combatants on the coast, and the Turk then withdrew. The Greeks look upon the forcing of the blockade by the Russian frigate, not as an act of humanity only, but also as a deliberate act of intervention."

The insurrection of the Cretans had from the beginning found the most enthusiastic sympathy in Greece, and in those Turkish provinces and islands which are chiefly inhabited by Greeks. Large numbers of volunteers were flocking from Greece to Candia, being mostly transported there by the Greek steamer *Panhellenion*, which made regular trips between Candia and the neighboring Greek island of Syra. Public opinion in Greece even urged the government to risk an open war in behalf of the Cretans, but thus far the Greek Government did not venture to proceed. Insurrectionary movements were attempted in Epirus, Thessaly, and several islands, for the purpose of aiding the Turks, but they had not the desired effect. (*See TURKEY.*) In Russia, public opinion was also very emphatic in expressions of sympathy, and the emperor and all the members of the imperial family forwarded their subscriptions to the committees organized for the aid of the sufferers in Candia. Equally divided was the sympathy of the liberal party throughout Europe, and stirring appeals in behalf of the insurgents were issued by Victor Hugo and Garibaldi. Of the friends of the latter, a number went as volunteers to Candia, and Garibaldi himself expressed his desire to follow them. In the United States the sympathy with the Cretans was also extensive, but it did not begin to manifest itself on a grand scale until the beginning of the year, 1867. The Governments of France and England showed more sympathy with the maintenance of the Turkish rule, than the success of the insurrection, but declared their readiness to join the other powers in urging the Turkish Government to give new guarantees for the execution of the reforms which many years ago had been promised to the Christians by the *Hatti-Humayum*.

CASS, Hon. LEWIS, an American statesman, born at Exeter, N. H., October 9, 1782; died in Detroit, Mich., June 17, 1866. He was the eldest son of Jonathan Cass, who at the age of nineteen entered the ranks of the Continental army, and served through all the arduous campaigns of the Revolution, attaining the position



of captain. At the establishment of peace he received a commission in the army as major, and was assigned to duty under Wayne in the territory northwest of the Ohio River, his family remaining at Exeter. During this time young Lewis was attending the academy in his native town, and laying the foundations of a substantial education. In 1799 the family removed to Wilmington, Del., where Major Cass was temporarily stationed, and where the subject of this sketch obtained occupation as a teacher. The following year, having decided to locate Westward, the family travelled thither partly on foot and partly by boat, reaching Marietta, the pioneer settlement of Southern Ohio, in October. Major Cass soon removed to a tract of land granted him by the Government for his military services, situated on the Muskingum River, near Zanesville, while Lewis remained at Marietta, engaged in the study of law. In 1802 he was admitted to the bar, being but twenty years of age, and commenced the practice of his profession in Zanesville. His abilities as a jurist and pleader speedily manifested themselves, built up for him a lucrative business, and gave him a wide-spread reputation in the thinly settled district north of the Ohio. Becoming well established in his profession, in 1806 he married a Virginia lady, and shortly after entered upon his public career by taking a seat in the Ohio Legislature. Being placed on the committee instituted to inquire into the movements of Colonel Burr, his hand drafted the law which enabled the local authorities to arrest the men and boats engaged in that enterprise on their passage down the Ohio. He also drew up the address to Mr. Jefferson, embodying the views of the Ohio Legislature on the subject. In 1807 Mr. Cass was appointed marshal of the State, a position which he filled until 1813. In the war of 1812 he volunteered to join the forces at Dayton under General Hull, and was named colonel of the Third Ohio Volunteers. Colonel Cass commanded the advanced guard when the army crossed from Detroit into Canada, and drew up the proclamation addressed by the general to the inhabitants of that country on their arrival in it, and commanded also the detachment which dislodged the British forces posted at the bridge over the Aux Canards. Shortly afterward Colonel Cass was included in the capitulation which ensued on the signal defeat of the American army, and after making his report at Washington, was appointed to the Twenty-seventh regiment of infantry, and after a short interval, promoted to the rank of brigadier-general. He took part in the pursuit of General Proctor, and in the triumph at the Moravian Towns. At the close of the campaign he was left in command of Michigan, with his headquarters at Detroit, a command he exchanged for the post of Civil Governor over the same State in October, 1813. In 1814 he was associated with General Harrison in a commission to treat with the Indians, who had been hostile to the United States during the war.

The number of white inhabitants throughout the Territory was scarcely six thousand; no foot of land had been yet sold by the United States, and the interior of the Territory was a vast wilderness, affording ambush for forty thousand hostile savages. The Indian proprietorship still continued, and settlers could obtain no certain titles to their locations. No surveys had been made, no roads opened inland, and the barbarous savages, led by their powerful chieftain Tecumseh, were implacable in their hatred of the whites, and terrible in their atrocities. Under these discouraging circumstances Governor Cass assumed the responsibilities of Governor, and *ex-officio* Superintendent of Indian Affairs, his jurisdiction extending over the whole Territory, and continued in the discharge of these duties for eighteen years. During this period his management of Indian affairs was conducted with the utmost wisdom and prudence. He negotiated twenty-two distinct treaties, securing the cession by the various tribes to the United States of the immense regions of the Northwest, instituted surveys, constructed roads, established military works, organized counties and townships, and, in short, created and placed in motion all the machinery of legitimate government and internal improvement and prosperity, of which we are to-day enjoying the results. In the administration of the extensive financial trusts incident to his position, Governor Cass displayed the most scrupulous honesty, never permitting even the small sum allowed him by the Government for contingent expenses to be transferred to his private account until the vouchers had been formally signed and transmitted to Washington. As yet the Northwestern regions were very imperfectly known, and at his suggestion an expedition was planned in 1820, in which he himself bore a conspicuous part. Accompanied by the celebrated geologist, Schoolcraft, and six other gentlemen, with the necessary Indian guides, they left Detroit in three bark canoes, for the exploration of the upper lakes and the head-waters of the Mississippi, and traversed 5,000 miles. The results of this and other subsequent expeditions were published in the *North American Review* in 1828-'29, and added in no slight degree to the well-earned fame of the author. In 1831, when President Jackson reconstructed his cabinet, Governor Cass was appointed Secretary of War, and cordially indorsed all the distinctive features of that administration. In the nullification troubles he occupied the high patriotic ground of his chief, and the nullifiers derived no benefit from his presence in the War Department. In 1836 Gen. Cass submitted a rather celebrated report to Congress upon our military and naval defences, embracing an elaborate *résumé* of our existing martial resources, both offensive and defensive. His recommendations were the erection of a strong chain of coast fortifications, and the building of a powerful navy. Subsequent events have established the wisdom of his suggestions.



Shortly after this, finding his health impaired, he resigned his secretaryship, to the great regret of President Jackson.

In 1836 he accepted the appointment of minister of the United States to France, and, after dispatching some important business with that Government, he, in 1837, embarked at Marseilles for a voyage in the frigate *Constitution* to Egypt, by way of Constantinople, following the coast, and stopping at the principal ports, whence he made excursions into the interior. He was on excellent terms with Louis Philippe, of whose character he gave a friendly and favorable account in his "King, Court, and Government of France," published in 1840. The most remarkable incident of his diplomatic career occurred just at its close, in his attack on the quintuple treaty for the suppression of the slave-trade, and which resulted in his resignation in 1842. Upon his return he found his country in a state of political excitement; his name had been mentioned as a Democratic candidate for the presidency, and at the public receptions, in honor of his return, his opinions upon the important questions of the day were eagerly sought. In the Democratic National Convention of 1844, however, after repeated ballotings, James K. Polk received the nomination, and was elected to the presidency in the following November. In January, 1845, he was elected by the Legislature of Michigan to the Senate of the United States, which place he resigned on his nomination, in May, 1848, as a candidate for the presidency by the political party to which he belonged. After the election of his opponent, General Taylor, to that office, he was, in 1849, reëlected to the Senate for the unexpired portion of his original term of six years. Here he wielded a powerful influence. He was a strong advocate of compromise, became the chief ally of Henry Clay, and opposed both the Southern rights dogmas and the Wilmot Proviso. The latter of these he had been instructed by the Legislature to support, but he declared in the Senate that he should resign his seat in case this direct conflict came between his duty and his principles. Originally General Cass was the most prominent candidate for the chairmanship of the Committee of Thirteen, but himself urged the appointment of Mr. Clay to that position. The passage of the resolution constituting that committee was, by the testimony of its mover, Henry Stuart Foote, chiefly due to his prompting and assistance. He supported the various measures that it originated save the Fugitive-Slave Law, on the passage of which, in the Senate, he declined to vote, though present in his seat.

Being reëlected a Senator from Michigan for a second term of six years from March, 1851, he still continued a prominent Democratic candidate for the presidency, but, in 1852, as in 1844, he was unsuccessful, and Franklin Pierce was selected as a compromise among the conflicting interests as the candidate of that party. This defeat terminated General Cass's aspira-

tions for the chief magistracy, and he remained a member of the Senate until the expiration of his term. In 1857, when Mr. Buchanan entered upon his administration, General Cass accepted the position of Secretary of State. In the disunion movements that followed Mr. Lincoln's election, he was, as in 1850, a friend of compromise, sustaining especially the resolutions of his former colleague, Mr. Crittenden. He also originally in the Cabinet approved (or at least did not pronouncedly disapprove) President Buchanan's message, denying the existence of any power in the Constitution by which the General Government could coerce a State. Eight days later (December 14, 1860), however, he reasserted the Jacksonian principles of 1832-'33, and upon Mr. Buchanan's refusal to dispatch troops and supplies South, to reinforce Major Anderson and reprovise Fort Sumter, he promptly resigned. His resignation was the closing-up of a public career of fifty-six years' duration. After that period he dwelt among his family, mingling little in society save in the exercise of the hospitalities of his own home. During the war his sympathies were always with the national arms, and the prolongation of his days to witness the ultimate triumph of the Government he considered among the greatest blessings of his life. General Cass was a man of great natural abilities, a prudent, cautious legislator, a scholar of fine attainments, of the purest integrity, temperate in all his habits, and personally popular throughout the country. As an orator, he was successful, though not famous. His speeches were always effective, whether before popular assemblies or upon the floor of the Senate, but none will ever be preserved as remarkable models of eloquence. The selection of live topics, a clear and appropriate system of argument, and animated delivery were the chief features of his oratory, and he always commanded attention in a body that daily listened to the splendid periods of Webster and the impassioned voice of Clay. His wealth was largely the result of his fortunate original investment in real estate, but the steady increase of his property in value has been also due to able management. In all enterprises of public improvements—railroads, highways, and other systems of internal development—he willingly participated, and in matters of charity, though not a miscellaneous giver, no meritorious and substantiated appeal ever failed of a response.

Besides his published works mentioned, and another, entitled "History, Tradition, Languages, etc., of Indians in the United States," Mr. Cass's contributions to contemporary literature were comparatively few in number, and confined to magazine articles upon topics in regard to which he possessed peculiar sources of information. They were, therefore, rather designed as vehicles of useful knowledge than as models of the essayist's art. Their style was lucid and ornate, the essential facts and statis-



tics being presented in an attractive garb of rhetoric. In 1830 he received the degree of LL. D. from Hamilton College.

**CATTLE PLAGUE, or RINDERPEST.** This epizootic continued to make terrible havoc in Great Britain and some of the Continental states of Europe, till the earlier part of the autumn of 1866. It made its appearance in Ireland, but was "stamped out" there with the loss of but a few head of cattle. In Holland it raged with great severity, and occasioned heavy losses, and near the close of the year was reported as still increasing, having already caused the death of 71,000 head of cattle. It was

feared that the war in Austria and Italy, by causing the movement of great numbers of cattle to supply the army commissariats, would propagate the plague extensively; but the war was so brief, that this does not seem to have been the case. There was a severe outbreak of the plague among the bovine and cervine animals of the *Jardin d'Acclimatation* in Paris, where it was carried by two gazelles from London on the 14th of November. Thirty-five valuable animals were lost by the disease. The following table, published officially by the British Government, shows the extent of the ravages of rinderpest in Great Britain:

	Scotland.	Wales.	England.	Great Britain.
Area in acres.....	19,639,377	5,102,885	32,221,998	56,964,260
Number of cattle to 100 acres.....	4.8	11.3	10.2	8.4
Total census of cattle, March 5, 1866.....	937,401	573,136	3,270,299	4,785,836
Number of cattle died or killed to March 3, 1866.....	31,236	5,565	113,010	149,811
Total number attacked.....	49,861	8,388	198,474	253,723
Total number killed.....	6,263	1,180	77,570	85,013
Total number died.....	28,088	5,794	90,421	124,303
Total number recovered.....	10,707	1,117	21,589	33,413
Number unaccounted for.....	1,803	297	8,894	10,994
Percentage of attacks.....	4.833	1.437	5.866	5.141
Number of sheep, March 5, 1866.....	5,255,077	1,799,821	14,993,383	22,048,281
Total number farms, sheds, or places where sheep have been attacked.....	10	.....	94	104
Number slaughtered to prevent spread of disease.....	.....	.....	419	419
Number attacked.....	159	.....	6,667	6,826
Number killed.....	39	.....	1,053	1,092
Number died.....	99	.....	4,541	4,640
Number recovered.....	18	.....	1,013	1,031
Number unaccounted for.....	3	.....	60	63

In the United States there was, during the year, no invasion of rinderpest. Other epizootics, however, proved largely fatal to domestic animals. In the Western States, and particularly in Indiana and Kentucky, an epizootic disease, known as the "Texas fever," and said to have been communicated by a drove of cattle brought from Texas, proved very fatal to cattle. Its symptoms, so far as described, seem to have borne considerable resemblance to those of the rinderpest. The "hog cholera," a fatal disease, which seems to affect swine alone among the domestic animals, has occasioned the death of many thousands of hogs throughout the West. A solution of sulphate of iron (copperas), mixed with a bran-mash, is recommended by some veterinarians both as a preventive and remedy for it.

**CENTRAL AMERICA.** There are at present in Central America the following five independent Republics:

1. **GUATEMALA.\***—President, Vincente Cerna (1865–1869). Area, 44,500 square miles. Population was estimated, in 1858, at 850,000; according to a census, taken in September, 1865,

by order of the Government, under the direction of the priest Ospina, it amounted to 1,180,000. The country is divided into the following seventeen departments: Guatemala, Sacaltepec, San Marco, Chimaltenango, Suchiltepec, Escuintla, Amatitlan, Santa Rosa, Mita, Solola, Totonicapán, Gueguetenango, Quesaltenango, Chiquimula, Vera Paz, Salama, and Izabal. The capital, Guatemala, had, in 1865, 40,000 inhabitants. The public debt was estimated, in 1865, at 1,500,000 dollars. Value of imports in 1863, 727,042 dollars; in 1864, 1,414,904 dollars; of exports, in 1863, 894,712 dollars; in 1864, 1,818,516 dollars. The imports, in 1864, came chiefly from Great Britain (\$1,119,586); France (\$186,889); United States (\$45,722). Movement of shipping in 1864 (entrances and clearances); in the Atlantic ports, 53 vessels, together of 1,952 tons. In Pacific ports, 62 vessels, together of 33,312 tons (of which 29 vessels, with 25,254 tons, were from the United States).

2. **SAN SALVADOR\*.**—President, Fr. Dueñas (April, 1865, to April, 1869). The Legislative Assembly, which holds biennial sessions, consists of 12 Senators, and 24 Deputies. The republic is divided into 10 (formerly 8) de-

\* For the names of State ministers, U. S. minister in Guatemala, and Guatemalan minister in Washington, and the latest statistics of finances and the army, see *ANNUAL CYCLOPEDIA* for 1865.

\* For other information, see *ANNUAL CYCLOPEDIA* for 1865.



partments: San Union, San Miguel, Usulután, San Vicente, La Paz, Cuscatlán, San Salvador, Sonsonate, Santa Anna, Chalanténango. Area, 7,500 square miles. Population about 600,000. The budget of 1866 estimates the receipts at 628,252 dollars; and expenditures at 524,329 dollars. Imports in 1865 were valued at 2,130,641 dollars; and exports at 2,306,334 (the principal articles of export are indigo, sugar, cotton, coffee, etc.) In 1865 24 American (United States) steamers entered the ports of the republic.

3. HONDURAS.\*—President, José María Medina (February, 1866–February, 1870). According to the new Constitution, which was adopted in November, 1865, the Legislative Assembly consists of 11 deputies, and the Senate of 7 members. The Council of State embraces the ministers and 7 other members. Ministers, exterior and interior, Ponciano Leiva; war and finances, Saturino Bográn. Area, 33,000 square miles. Population about 350,000 inhabitants. The republic is divided into the following seven departments: Comayagua, Tejuicigalpa, Choluteca, Santa Barbara, Gracias, Yoro, Olanchó. The capital, Comayagua, has about 18,000 inhabitants. Minister of the United States at Comayagua, R. H. Rousseau (appointed in 1866). Receipts of the Government about 200,000; expenditures, 183,000: annual surplus, about 17,000 dollars. Value of imports (mostly from Great Britain), about 750,000; exports, 825,000 dollars. Chief port, Omoa.

4. NICARAGUA.\*—President (1863–1867), Tomás Martínez. The State ministry was composed as follows: Foreign Affairs, Dr. Rosalío Cortez; Interior, Bonaventura Silva; Finances, Dr. B. Portocarrero; Instruction, Justice, and Worship, A. Silva. Area (after the reannexation of Greytown and the Mosquito Territory), 57,780 square miles. Population about 400,000. The republic is divided (according to the *Mapa de la República de Nicaragua levantada por orden del Gobierno*, par M. de Sonnenstern, 1859) into the following five departments: Rivas, Granada, Leon, Segovia, Matagalpa. Capital, Managua, with about 10,000 inhabitants.

5. COSTA RICA.\*—President (1866–1869), Dr. José María Castro. Area, about 21,440 square miles. The population, according to the censuses of 1844 and 1864, was as follows:

PROVINCES.	Census of 1844.	Census of 1864.	Increase.]
San José.....	25,949	37,195	11,246
Cartago.....	19,884	23,017	3,133
Alajuela.....	10,837	27,164	16,327
Heredia.....	17,236	17,838	602
Guanacaste.....	5,193	10,425	5,232
Punta-Arenas.....	883	4,832	3,949
Total.....	79,982	120,471	40,489

The capital, San José, has about 30,000 inhabitants.

\* For other information, see ANNUAL CYCLOPÆDIA for 1865.

CESARINI, Duke SFORZA, a Roman nobleman, and chief of the historic house of Sforza, born at Rome in 1807, died at Pinerolo, near Turin, July 16, 1866. He early displayed much ability both in private and public life. Mild, pleasant, and unassuming in manner toward his subordinates, he was an able and faithful administrator of his extensive and diversified estates, acting for the most part as his own steward, and introducing among the rural population such improvements as considerably ameliorated the land, and at the same time took a deep interest in the education of the poorer classes. As a representative of the district of Santa Fiora, he was created deputy in the Italian Parliament in 1860; later he was raised to senatorial honors, and decorated with the "commenda" of St. Maurice and Lazarus by the king's hand. He was also selected to be the representative of the Italian Government at Viterbo during the short period when the city had proclaimed its aspirations to liberty. The late duke was a steadfast adherent to the policy of Piedmont, and therefore declined to take part in the Roman republic, when the latter, for a brief season, flourished under the auspices of Mazzini.

CHEMISTRY. The year 1866 was not distinguished by any remarkable discoveries in chemistry, or by the promulgation of any chemical theory of striking novelty or interest. It can only be said that a good degree of general progress is perceptible in the several departments of chemical science, and that its importance as a branch of popular education is more and more recognized by the public. The application, during the year, of the spectroscope (originally intended for the examination of earthy products) to the analysis of the constituent elements of the heavenly bodies, is a pleasing illustration of the correlation of the sciences, showing how surely progress in any one department of knowledge contributes to progress in all. (See ASTRONOMICAL PHENOMENA, etc.)

In the preparation of the following *résumé* of chemical intelligence, the editor would acknowledge his indebtedness to the *American Journal of Science*, and the *Chemical News* (London).

*New Elements*.—A new metal was announced by MM. Meinecke and Rossler, to the French Academy, toward the end of the year. They say that it was discovered by them in the analysis of a mineral water, that it is allied to the alkaline series, and gives a sharp, dark-blue line in the spectroscope, in a different position to that given by indium. Further particulars will be awaited with interest; but so many new elements have been announced from time to time, the claims of which have subsequently proved to be unfounded, that no general astonishment will be expressed if the expectations of MM. Meinecke and Rossler should turn out to be fallacious. As to MAGNESIUM, the new metal (new at least in the mode of its preparation upon a commercial scale), it has not filled the place in the arts for which it seemed to be especially



fitted. The cost of its production, and practical difficulties in the way of burning it, have hitherto prevented its general use for purposes of photographing by night, or as a substitute for existing methods of illumination. It has recently come into notice as a delicate reagent in chemical analysis. (See MAGNESIUM, also INDIUM, THALLIUM, and METALS.)

*A single Primary Element.*—Prof. G. Hinrichs, of the Iowa State University, published in the *American Journal of Science*, vol. xlii., No. 126, his researches among the spectra of a number of the elements, taking as a basis the determinations of Plücker and Ditscheiner. The results of his investigations are as follows: He finds, for the thirteen elements considered (viz., hydrogen, oxygen, nitrogen, chlorine, bromine, iodine, mercury, sodium, magnesium, calcium, strontium, barium, iron, and, besides, four compounds), that the dark lines of the elements are equidistant throughout the spectrum, but of varying intensity, many not being observed (or observable) at all; the intervals between the observable lines are expressible as simple multiples of the equal distance indicated by all. By considering the spectra of seven elements, viz., magnesium, calcium, strontium, barium, chlorine, bromine, and iodine, he finds that the dark lines of the elements are related to the atomic dimensions, considering the elements composed of one single primary element ("Urstoff"). Prof. Hinrichs says that it is now about twelve years since he started the hypothesis of one primary matter as the element of elements, not in the shape of a physical idea, but as a physical hypothesis, making it the base of a theoretical mechanical deduction of the properties of the elements; and he now thinks that spectrum analysis has shaken the axiom of the elementary nature of the so-called chemical elements in minds formerly adverse to questioning that axiom. He hopes ultimately to prove that the unity of matter is as real as the unity of force.

*A New Class of Compound Metallic Radicals.*—Oxide of auro-acetylene is the name given to a new compound metallic radical obtained by M. Berthelot. It is produced from a solution of the double hyposulphite of soda and gold, with some ammonia, treated with acetylene, being precipitated in the form of yellow flocculi, which, when dry, detonate violently if touched with a hard body. A chromium compound, oxide of chromo-acetylene, is obtained when a solution of chromous sulphate in a mixture of sal-ammoniac and ammonia is treated with acetylene. M. Berthelot shows that allylene forms a series of compounds analogous to those formed by acetylene. He gives some interesting facts concerning the action of alkaline metals on the carbides of hydrogen. Sodium, he states, attacks acetylene when the two are gently heated, forming a monosodic acetylide and setting free hydrogen. At a red heat the decomposition is more complete. Potassium, gently heated in an atmosphere of acetylene, ignites and forms an

acetylide. These acetylides are decomposed by water, acetylene being produced. Formene and acetylene do not furnish the experimenter with similar results. Allylene, however, is attacked by sodium at a gentle heat, undergoing a complete decomposition, and resolved into sodic acetylide, carbon, and hydrogen.

M. Berthelot obtains the oxide of mercuracetylene by means of a solution of red iodide of mercury in iodide of potassium, to which ammonia is added, but not sufficient to produce turbidity. The liquid introduced into a bottle filled with acetylene gradually absorbs the gas, and a glistening white precipitate is produced, resembling in appearance bismanganate of potash. This is washed with a concentrated solution of iodide of potassium. The appearance of the precipitate is then changed to a white powder, which is extremely explosive.

Later investigations have enabled the same chemist to report still other classes of radical metallic compounds. One series is obtained from  $C_4Cu_2H$ , which he calls cupros-acetylene, and which yields an oxide, chloride, bromide, iodide, sulphide, cyanide, and sulphite. A perfect parallelism exists between the salts of cupros-acetylene and the cuprous salts properly so called. Another set of combinations are derived from argent-acetylene,  $C_4Ag_2H$ . The author concludes that the new radicals are in some sort oxide of ammonium, being constituted immediately by the union of a hydride of carbon and the elements of water with simultaneous metallic substitutions. He believes that the number of these compounds will soon be increased by the introduction of various metals in the place of hydrogen in several other carbides of hydrogen. Comparing the new radicals with the organic alkalies and the metallic radicals already known, it will readily be seen that they constitute a new general class of radicals, essentially distinct from the old ones, as well by their generation as by their constitution.

*A New Alcohol, in which Carbon is partially replaced by Silicon.*—In the *Comptes Rendus*, lxi., 792 (*Amer. Jour. of Science*, vol. xlii., No. 126), appears an account of a successful attempt by Friedel and Crafts to replace carbon by silicon by a somewhat circuitous process in a theoretical point of view. Chlorine acts upon silicium-ethyl,  $(SiC_2H_5)_4$ , to form two products of substitution, monochlorinated and dichlorinated silicium-ethyl. These products cannot be separated by distillation, but, when the mixture of the two, boiling between  $180^\circ C.$  and  $200^\circ C.$ , is heated in a closed tube with acetate of potash and alcohol, the binochlorinated compound is first attacked, while chloride of potassium is found, and the monochlorinated compound remains among the products of the action. When water is added to the contents of the tube after the action, an oily liquid separates, which is to be washed twice with water and then treated with concentrated sulphuric acid, which dissolves the acetic acid compound and the oxide of silicium-triethyl, leaving the sili-



cium-ethyl and its chlorine derivations unacted upon. The portion undissolved is to be washed, dried, and distilled. The greater part passes over at  $180^{\circ}$ – $190^{\circ}$ , and is treated as before in a closed tube with acetate of potash and alcohol. The liquid separated by water is again treated with sulphuric acid, the solution decanted and poured into water. A liquid separates, which boils between  $208^{\circ}$  and  $214^{\circ}$  C., has a faint ethereal and acetic smell, and burns with a luminous flame, giving off white fumes of silicic acid. This liquid is derived from monochlorinated silicium-ethyl by replacing the chlorine by oxacetyl. Treated with an alcoholic solution of caustic potash, this body yields a new liquid boiling at  $190^{\circ}$  C., which is the hydrate corresponding to the acetate above described. The authors term the radical silicononyl, and compare the hydrate and acetate to the corresponding compounds of carbon and hydrogen, considering silicium to replace carbon atom for atom.

*Ozone*.—A paper upon the preparation of ozone and the conditions of its production was communicated by M. C. Weltzien to the *Bulletin de la Société Chimique*, May, 1866. He had obtained ozone by two processes. First, by the reaction of dry hydrochloric acid gas upon peroxide of barium contained in a tube; second, by the reaction of hydrochloric acid upon pulverized peroxide of barium mixed with sand and enclosed in a balloon. In both cases he obtained besides oxygen and chlorine some ozone recognizable by its odor; and the balloon containing the residue of its reaction retained the smell for many days. In most of the experiments, however, no ozone, but only oxygen and chlorine, are produced, probably mixed with hydrochlorous (?) acid. As to the formation of ozone in the air, during storms, he does not think that it remains long, and would regard the oxidation of silver as the only certain proof of its presence. M. Weltzien promulgates the theory that ozone is oxygen formed of two atoms; other eminent chemists regard it as denser than common oxygen; and M. Loret considers it to be a molecule formed of three atoms of oxygen, and calls it binoxide of oxygen. The bulk of opinion, certainly, is that ozone is condensed oxygen.

At the November meeting of the British Chemical Society Dr. Daubney read a paper on the same subject. The author had made experiments at Torquay in the winter months, and at Oxford in the summer months. In the former place the southwest and westerly winds were most strongly charged with ozone, and in the latter city the easterly winds brought most. The results at Torquay he considers to prove the influence of the sea in increasing the amount of ozone. The generation of ozone in the process of vegetation he regards as one of the appointed means of nature for purifying the atmosphere from pernicious organic compounds. Dr. Daubney, in his observations, used both Schonbein's paper and the

sulphate of manganese paper, but considers the first, if protected from light, to give the most reliable indications. He had no evidence upon the point whether the outbreak of epidemics could properly be ascribed to a deficiency of atmospheric ozone. In the course of the discussion which ensued, Dr. Gilbert expressed some doubts of the identity of the ozone-like emanations from growing plants, and the odorous substance produced by the slow combustion of phosphorus in moist air. In closing the discussion the President (Dr. W. A. Miller) observed, that no one doubted the existence of ozone in the atmosphere; but it must be admitted that as yet the proof was very imperfect.

*Isomerism*.—Berthelot has proposed a new subdivision of isomeric bodies into the following classes or general groups: 1. (*Equivalent composition*.) Substances which appear to have a purely accidental relation to each other, such as butyric acid,  $C_4H_8O_4$ , and dialdehyde,  $(C_4H_4O_2)_2$ . 2. (*Metamerism*.) Bodies formed by the union of two distinct principles, so that in their formulæ a kind of compensation is established; as methyl-acetic ether,  $C_2H_2(C_4H_4O_4)$ , and ethylformic ether,  $C_4H_4(C_2H_2O_2)$ . 3. (*Polymerism*.) Compounds arising from the union of several molecules to form one, as amylene,  $(C_{10}H_{10})$ , and diamylene,  $(C_{10}H_{10})_2$ . 4. (*Isomerism, properly so called*.) These are bodies that, differing in properties, retain those distinctive features in their passage through certain compounds, the properties of which result from the internal structure of the compound taken as a whole, rather than from the diversity of the components which have produced it; *e. g.*, the essence of terebenthine and citron, the sugars, the symmetrical tartaric acids, and the two classes of ethyl-sulphates. 5. (*Physical isomerism*.) The different states of one and the same body, the diverse nature of which vanishes when the substance enters into combination. 6. (*Kenomerism*.) Two different compounds may lose by the effect of certain reagents which bring about decomposition, different groups of elements, and the remainders be identical in composition, these two derivatives, however, being yet distinct the one from the other both in physical and chemical properties. For example, alcohol, by losing two equivalents of hydrogen, is turned into aldehyde,  $C_4H_6O_2 - H_2 = C_4H_4O_2$ . Glycol, on the other hand, by giving up two equivalents of water is converted into glycolic ether (oxide of ethylene),  $C_4H_6O_4 - H_2O = C_4H_4O_2$ . Again, essence of terebenthine combines with hydrochloric acid under different conditions to form two distinct hydrochlorates, the monohydrochlorate,  $C_{20}H_{16}HCl$ , and the dihydrochlorate,  $C_{20}H_{16}2HCl$ . From the first the crystalline compound  $C_{20}H_{16}$ , camphene, is obtained, and from the latter  $C_{20}H_{16}$ , terpine, two hydrocarbons of very different properties.

*The Source of Muscular Power*.—This interesting subject, which has received much attention from chemists of late, has been thoroughly



examined by Prof. Frankland, of the Royal Institution. He starts out with the axiom that an animal, no matter how high its organization may be, can no more generate an amount of force capable of moving a grain of sand than a stone can fall upward or a locomotive drive a train without fuel. All that an animal can do is, to liberate that store of force or potential energy which is locked up in its food. It is the chemical change which food suffers in the body of an animal that liberates the previously pent-up forces of that food which now make their appearance in the form of actual energy, as heat and mechanical motion. The two chief forms of force thus manifested are heat and muscular motion or mechanical work, and these have been almost universally traced to two distinct sources—the heat to the oxidation of the food, and the mechanical work to the oxidation of the muscle. This was the doctrine first promulgated by Baron Liebig, in his “Chemico-Physiological Essays.” Prof. Frankland’s experiments lead him to somewhat different conclusions, as follows:

1. The muscle is a machine for the conversion of potential energy into mechanical force.

2. The mechanical force of the muscles is derived chiefly, if not entirely, from the oxidation of matters contained in the blood, and not from the oxidation of the muscles themselves.

3. In man, the chief materials used for the production of muscular power are non-nitrogenous; but nitrogenous matters can also be employed for the same purpose, and hence the greatly increased evolution of nitrogen under

the influence of a flesh diet, even with no greater muscular exertion.

4. Like every other part of the body, the muscles are constantly being renewed; but this renewal is not perceptibly more rapid during great muscular activity than during comparative quiescence.

5. After the supply of sufficient albumenized matters in the food of man, to provide for the necessary renewal of the tissues, the best materials for the production both of internal and external work are non-nitrogenous matters, such as oil, fat, sugar, starch, gum, etc.

6. The non-nitrogenous matters of food, which find their way into the blood, yield up all their potential energy as actual energy; the nitrogenous matters, on the other hand, leave the body with a portion (one-seventh) of their potential energy unexpended.

7. The transformation of potential energy into muscular power is necessarily accomplished by the production of heat in the body, even when the muscular power is exerted externally. This is doubtless the chief and probably the only source of animal heat.

The limits of this article will not permit the reproduction of all the statistics and tables by which Prof. Frankland justifies his conclusions.

The following statement of the energy developed by various articles under combustion in oxygen, is specially interesting. The values, however, experimentally obtained for these articles, must be understood as the maxima, and hold good only on condition that the food is digested and passes into the blood.

NAME OF FOOD.	HEAT UNITS.		METROKILOGRAMS OF FORCE.		Per cent. of Water.
	Dry.	Natural condition.	Dry.	Natural condition.	
Cheese (Cheshire).....	6,114	4,647	2,589	1,969	24.0
Potatoes.....	3,752	1,013	1,589	429	73.0
Apples.....	3,669	660	1,554	280	82.0
Oat-meal.....	.....	4,004	.....	1,696	.....
Flour.....	.....	3,941	.....	1,669	.....
Pea-meal.....	.....	3,936	.....	1,667	.....
Ground Rice.....	.....	3,813	.....	1,625	.....
Arrow-root.....	.....	3,912	.....	1,657	.....
Bread-crumbs.....	3,984	2,231	1,687	945	44.0
“ Crust.....	.....	4,459	.....	1,888	.....
Beef (lean).....	5,313	1,567	2,250	664	70.5
Veal “.....	4,514	1,314	1,912	556	70.9
Ham “.....	4,343	1,980	1,839	839	54.4
Mackerel.....	6,064	1,789	2,568	758	70.5
White of Egg.....	4,896	671	2,074	284	86.3
Hard-boiled Egg.....	6,321	2,883	2,677	1,009	62.3
Yolk of “.....	6,460	3,423	2,737	1,449	47.0
Gelatine.....	4,520	.....	1,914	.....	.....
Milk.....	5,093	662	2,157	280	87.0
Carrots.....	3,767	527	1,595	223	86.0
Cabbage.....	3,776	434	1,599	184	88.5
Beef (fat).....	9,069	.....	3,841	.....	.....
Butter.....	.....	7,264	.....	3,077	.....
Cod-liver Oil.....	.....	9,107	.....	3,857	.....
Lump Sugar.....	.....	3,348	.....	1,418	.....

*The Sulphides.*—M. J. Pelouze, at the session of the French Academy, in January, presented a *Memoir of the Sulphides*. He prepared pure monosulphide of sodium by passing sulphuretted

hydrogen into soap-makers’ lye. The crystals were recrystallized once or twice until they were colorless and quite pure. With a solution of this salt, a weak solution of acetate and chlo-



ride of calcium, gave a distinct white precipitate; strong solutions, an abundant precipitate. A solution of sulphate of calcium also shows a cloudiness. When an excess of the calcic salt is used, no precipitate is seen, or it is instantly redissolved, whatever may be the strength of the solution. With the salts of magnesia, hydrate of magnesia is precipitated, and sulphhydrate of sulphide of sodium remains in solution. With salts of alumina and glucina, the alkaline sulphides precipitate the hydrates of alumina and glucina, sulphuretted hydrogen being set free. Sulphide of calcium cannot be obtained by precipitation, but must be made by decomposing the sulphate of lime with charcoal. This compound decomposes after long contact with water, producing lime and sulphhydrate of sulphide of calcium. Sulphide of magnesium is but little known. M. Pelouze has tried the method of Berzelius for making this sulphide, by passing sulphydric acid into a milk of magnesia until a considerable quantity of the hydrate of magnesia is dissolved. He reports that a sulphide is never formed under these circumstances, but that a sulphhydrate of sulphide of magnesium is obtained in solution, and hydrate of magnesia remains undissolved.

*Some Properties of the Chloride of Sulphur.*—M. Chevrier (*Chem. News*, No. 370) has reported to the French Academy the results of his investigation of the action of phosphorus on chloride of sulphur. He has succeeded in combining the substances almost entirely into chlorosulphide of phosphorus. In a large globe, of seven or eight litres' capacity, pour three equivalents of chloride of sulphur, and heat to the boiling point. Add, in small fragments, one equivalent of phosphorus. After each addition, agitate the vessel well; the result will be a yellow liquid consisting almost exclusively of chlorosulphide of phosphorus holding sulphur in solution. Distil, rejecting the small portion which comes over below  $125^{\circ}\text{C}$ ., which is the boiling point of chlorosulphide of phosphorus. The author has prepared half a litre of this body in one day. An attempt to prepare chlorosulphide of arsenic by a similar process failed—only chloride of arsenic and sulphur being produced. The author has observed a singular fact connected with the crystallization of sulphur. Toward the end of the operation, the yellow liquid, in cooling, deposits long prismatic needles of sulphur, amongst which are easily distinguished octahedra of relatively considerable volume. The prismatic sulphur is opaque; the octahedra are very brilliant. In 1848 M. Pasteur observed an analogous fact in the preparation of sulphide of carbon.

*Bichloride of Carbon, or Chlorocarbon.*—Dr. Simpson, in a paper read before the British Chemical Society, suggests that this new anæsthetic (discovered by M. Regnault in 1839) should have a pharmaceutical name given to it, and suggests perchloroformene, or the shorter term chlorocarbon, as sufficiently distinctive. Among the various names already bestowed on

this compound are perchlorinated chloride of methyl, perchloruretted hydrochloric ether, and perchloruretted formene. In its chemical constitution it is analogous to chloroform, with the difference that the single atom of hydrogen in chloroform is replaced in chlorocarbon by an atom of chlorine, for the relative chemical constitution of the two bodies may be stated as follows: chloroform =  $\text{C}_2\text{HCl}_3$ ; chlorocarbon =  $\text{C}_2\text{ClCl}_3$ . The chlorocarbon is made from chloroform by the action of chlorine upon that liquid; and chloroform may in turn be made from chlorocarbon by treating it with zinc and sulphuric acid, thus exposing it to the action of nascent hydrogen. The most common way of making chlorocarbon is by passing the vapor of bisulphide of carbon, together with chlorine, through a red-hot porcelain tube. The results are, chloride of sulphur and bichloride of carbon, and the latter is easily separated by the action of potash. It is a transparent, colorless fluid, having an ethereal and sweetish odor, not unlike chloroform. Its specific gravity is 1.56, chloroform being 1.49. It boils at  $170^{\circ}\text{F}$ ., and chloroform at  $141^{\circ}$ . The density of its vapor is 5.33; that of chloroform 4.2.

*A New Variety of Phosphorus.*—M. Hittorf reports to the *Ann. der Physik und Chem.*, cxxvi. 195, that he has succeeded in crystallizing amorphous phosphorus, and that it takes rhomboidal forms like arsenic. He heated red phosphorus and lead in a closed vessel; the lead dissolved the phosphorus, and then deposited it in a crystallized state. The operation was conducted in a fusible green glass tube, a quarter filled with ordinary phosphorus, and the rest with lead; the air then being expelled and the tube sealed. It was then introduced into an iron muff, and the spaces filled with calcined magnesia pressed round the whole of the glass tube. After ten hours' heating, the lead was covered with brilliant flakes of metallic-looking phosphorus, the finest appearing red when held to the light. No polyhedric form could be recognized in the crystals, but the lead retained some which were isolated, by treating with nitric acid of 1.1. The crystalline powder accumulated at the bottom of the vessel was metallic phosphorus, which was then in the form of microscopic rhombohedra, resembling crystals of arsenic. In this state phosphorus is a conductor of electricity. At  $15.5^{\circ}\text{C}$ . its density is 2.34. M. Hittorf classes the new modification of phosphorus in the same category with the red variety, giving to the two the generic name of metallic phosphorus, which he subdivides into metallic crystallized and metallic amorphous.

*Natural and Artificial Production of the Diamond.*—Theories about the formation of the diamond continue to be proposed. M. Charcourtois, in a note to the French Academy, suggested that the diamond was formed in consequence of the decomposition of hydrocarbons, just as free sulphur results from the decomposition of hydrosulphuretted emanations. The



hydrogen in these cases combines with the oxygen, leaving the other element free. He recommends that persons seeking to make artificial diamonds, should imitate the processes followed by nature, which he supposes to be as follows: Submit a very slow current of marsh gas or a hydrocarbon vapor accompanied by the vapor of water to a very mild oxidizing action in a mass of sand containing traces of putrescible matter—flour, for example. The author thinks it not improbable that this process is now going on in nature, and suggests that perhaps diamond dust could be found, if one would but search for it, in the black earth that surrounds the gas-pipes where they leak under our streets.

Sulphide of carbon has been a favorite subject for experiments with persons who believe it possible to make artificial diamonds. M. Lionnet, in a note to the French Academy, claims to have actually crystallized the carbon out of that compound. He takes a sheet of platinum foil and a sheet of tin foil of rather smaller dimensions, and rolls them together loosely. The roll so made he places in a bath of sulphide of carbon. A feeble electric current is then set up, the sulphide of carbon is decomposed, the sulphur combining with the tin, and the carbon crystallizing and falling to the bottom of the vessels. The *Chemical News* adds the comment, that time is, of course, required to obtain large crystals!

*Ammonium Amalgam.*—The *American Journal of Science*, vol. xlii., No. 124, contains an account of experiments made by F. S. Pfeil and Henry Leffman to determine the deportment of the substitution of ammoniums with sodium amalgam. A saturated solution of chloride of trimethyl-ammonium was treated with the sodium amalgam, and a series of phenomena followed exactly identical with those which occur in the preparation of the ammonium amalgam. The swelling rapidly subsided, hydrogen gas being given off, and the liquid was found to contain trimethylamine. Saturated solutions of the chlorohydrates of aniline, conine, morphine, and quinine, and of the acetate of rosaniline, when treated with sodium amalgam, gave rise to copious evolution of hydrogen gas without turgescence. These experiments (in addition to those recorded by Dr. C. Wetherell) seem to indicate that the physical phenomena of the ammonium amalgam depend entirely upon the retention of gas-bubbles, and also that those ammonias, which in the free state are, at ordinary temperatures, either liquid or solid, produce no amalgam. It may be mentioned that a solution of chloride of ammonium in pure glycerine gives rise to an amalgam, but the turgescence is much interfered with by the viscosity of the solvent; and also that sodium amalgam when placed upon a crystal of chloride of ammonium produces no reaction until moistened with a drop of water.

*Spontaneous Ignition.*—A correspondent of the *Chemical News* attempts to explain the

origin of fires which occur on the premises of those who make or deal in fireworks. He remarks that mixtures of the three ingredients—nitrate of strontia (or baryta), sulphur, and chlorate of potash, if made up at once from freshly and strongly desiccated materials, are certain to take fire spontaneously within a few hours, especially if placed in a rather damp situation. The action begins with the evolution of an orange-colored gas; afterward a liquefaction is set up at several points in the mass; a hissing noise and a more rapid disengagement of gas comes on, and the composition takes fire. The addition of a small proportion of sulphuret of antimony at once prevents the occurrence of these phenomena; but, if the compounds, being damp, are placed too near the fire to dry them, spontaneous combustion will ensue, even though antimony be one of the ingredients. Compositions, to produce a purple flame, if made with black oxide of copper, are almost sure, sooner or later, to take fire of themselves, at uncertain periods, whether kept in a damp or dry place. The carbonate should be used in preference.

*New Aniline Colors.*—M. Paraf describes a new method of making aniline black, as follows: He prepares hydrofluosilicic acid by decomposing a mixture of fluor spar and sand with sulphuric acid. In an aqueous solution of resulting acid of the gravity 8° Be., he dissolves hydrochlorate of aniline, and such a solution, properly thickened and printed on a tissue, prepared with chlorate of potash, gives a black in the fixing. If the chlorate of potash is combined with the above, the cloth needs no special preparation. In fixing at 32° or 35° C., the following changes take place: The hydrofluosilicic acid decomposes the chlorate of potash and forms fluosilicate of potash, setting free chloric acid. A part of the chloric acid acting on the hydrochloric acid of the hydrochlorate of aniline, produces a mixture of free chlorine and some intermediate oxygen acids of chlorine, which, acting in concert with the other portion of the chloric acid on the aniline of the hydrochlorate, produces the black. The black obtained in this way may be associated with any sort of madder color, and in the subsequent processes may be treated exactly like a logwood black.

Mr. Jacobson announces the following method of obtaining an orange-colored dye from aniline. Red aniline is made in the usual way by the action of nitrate of mercury on aniline, and the residue is purified by boiling the resinous deposit and crystallizing the solution. The mother liquor of the crystals contains a large proportion of orange dye, which is isolated by means of common salt, which precipitates the other colors and leaves the orange in solution. It is afterward extracted by alcohol. It is a golden orange, readily dyeing silk and wool.

*The Detection of Chlorine, Bromine, and Iodine, by means of the Spectroscope.*—A. Mitscherlich (*Pogg. Annalen*, cxxv., p. 628; *Am. Jour. of Science*, vol. xli., No. 121) has suc-



ceeded in applying the spectroscope to the detection of extremely minute quantities of chlorine, bromine, and iodine, and has thus materially extended the use of the instrument. The dry solid substance to be examined is mixed with half its weight of sulphate of ammonia and one-tenth of its weight of oxide of copper. The mixture is then brought into the bulb of a glass tube, connected at one end with an apparatus for generating hydrogen, while the other end, near the bulb, is open. Hydrogen is then passed into the tube, and kindled, after which the bulb, with the substance, is heated slowly. In this manner one-fourth of one per cent. of chlorine, one-half of one per cent. of bromine, and one per cent. of iodine may be detected. The author mentions additional processes for the detection of very minute quantities of iodine and bromine, and claims that the presence of one ten-millionth of either can be ascertained by the use of the spectroscope, but he did not succeed in making satisfactory quantitative determinations. In conclusion, he states his conviction, based upon spectroscopic investigations, that iodine and nearly all the other metalloids are compound bodies.

*Lime Crucibles for Great Heats.*—David Forbes, F. R. S., communicates to the *Chemical News* his mode of preparing lime crucibles to withstand great heats. He takes a clay crucible of somewhat larger capacity than the desired lime one, and fills it with common lamp-black, compressing the same by stamping it well down. The centre is then cut out with a knife until a mere shell or lining of lamp-black is left firmly adhering to the sides of the crucible, and about half an inch or less in thickness according to the size of the crucible; this lining is well rubbed down with a thick glass rod until its surface takes a fine polish, and the whole cavity is then filled up with powdered caustic lime, and pressed down as before; or the lime-powder may be at once rammed down round a central core of the dimensions of the intended lime crucible. The lime lining, after heating, forms a strong and compact crucible, which is prevented from acting upon the outer one by the interposed thin lamp-black layer, and, at the end of the experiment, generally turns out as solid and compact as those made in the lathe. Similar crucibles could probably be made, lined with magnesia or alumina, as required; and perhaps black-lead crucibles, lined with powdered lime, magnesia, or alumina, might be found to answer.

*Works and Papers on Chemical Subjects.*—During the year there were published in this country, *A New Chemical Nomenclature*, by S. D. Tillman, Prof. of Technol., Am. Inst., N. Y.; *Chemical Tables*, by Stephen B. Sharples, S. B., Cambridge, Lever & Francis, prepared under the able supervision of Prof. Wolcott Gibbs. "The American Journal of Science," for the year, contained many highly valuable papers, among which may be named *A New Process of Elementary Analysis for the Determination of*

*Carbon, Hydrogen, and Nitrogen at a Single Combustion*, by C. Gilbert Wheeler (Jan.); *A New Process for the Determination of Sulphur in Organic Compounds*, by C. M. Warren (Jan.); *A New Process of Organic Elementary Analysis for Substances containing Chlorine*, by the same (Sept.); *The Spectra and Composition of the Elements*, by Prof. Gustavus Hinrichs (Nov.); *Contributions to the Chemistry of the Mineral Springs of Onondaga, N. Y.*, by Charles A. Goessman (Nov.) At the meeting of the National Academy of Sciences in January, Prof. W. Gibbs read an interesting paper on *A New General Method of Volumetric Analysis*.

CHILI, a republic in South America. President, for the term from 1861 to 1866, and re-elected for the term from 1866 to 1871, José Joaquín Pérez. The State Ministry is composed as follows: Interior and Exterior, Alvaro Covarrubias (1864); Justice, Worship, and Instruction, Fed. Errázuriz (1864); Finances, Alex. Reyes (1864); War and Navy, Col. J. Manuel Pinto (1865). Revenue of the State in 1863, 6,700,659 piastres; and in 1864, 6,654,912. The expenditures for 1864, were estimated at 8,070,368 piastres, but in reality amounted to 10,986,358 piastres. The Interior debt in 1866, amounted to 8,017,673 piastres; and the Exterior debt to £2,152,200. The army is composed of the troops levied by conscription (3,250 men at the close of March, 1865); and of the national guards, the number of whom, according to an official document, amounted in 1861 to 29,698 men, and at the close of 1865, to 35,600 men. The fleet, in 1863, consisted of four war vessels, armed with 27 guns, to which must be added the gunboat Covadonga, having three guns, captured from the Spaniards in 1865, and the steamer Antonio Varaz, armed in December, 1865, with four 150-pounders. The value of imports, in 1864, amounted to 18,867,865 piastres (from the United States, 1,698,219; Great Britain and Colonies, 8,201,638; France and Colonies, 3,946,769); and that of the exports, to 27,242,853 piastres. The number of vessels entering Chilean ports, in 1864, was 2,830, together of 1,011,702 tons. A new census of Chili was taken in April, 1866, according to which the area of Chili is 132,609 square miles; the population (inclusive of Araucania, Patagonia, and Terra del Fuego) is 2,084,945; the foreigners resident in the country numbered 23,220; 832 of the inhabitants are from 100 to 140 years of age, and 9,635 are physically or mentally helpless.

The Spaniards, at the beginning of the year, were only keeping up the blockade of the two ports of Valparaíso and Caldera, and in the course of January abandoned also Caldera. Previous to leaving the latter port they dispatched to Spain two or three of their prizes laden with ore, etc., and destroyed the rest (eight vessels), after stripping them. The commander-in-chief of the Spanish squadron issued a decree declaring all Chilean coal contraband of war, even



under protection of neutral flags, until such time as his Government might otherwise direct.

In 1866 the treaty of alliance between Chili and Peru against Spain, which had been concluded in December, 1865 (*see ANNUAL CYCLOPÆDIA for 1865*), was formally proclaimed in January, 1866, and was immediately followed by a declaration of war against Peru. The squadrons of the two republics united in the vicinity of the island of Chiloe. On February 7th an engagement took place in the port San Carlos or Ancad, near the north end of the island of Chiloe, where the allied squadrons (the *Merri-mack*, *Union*, *America*, and *Covadonga*) had anchored between the Spanish vessels *Villa de Madrid* and *Blanca*, which had been in search of the allied squadron, and the shore batteries. After two hours' firing, the Spaniards, finding it impossible to silence the batteries, withdrew, and after remaining a day or two more in the vicinity, returned to Valparaiso. No serious damage was suffered on either side.

The Spanish fleet, collected at Valparaiso, remained inactive until the close of March, when the most notable event in the Spanish-Chilian war, the bombardment of Valparaiso, took place. On March 16th the Chilian Government issued an order forbidding any vessel which communicated with the Spanish fleet from entering a port of Chili; but there were no efforts made to fortify any town on the coast, nor any other preparations commenced for resisting the enemy. During this lull the American Minister, General Kilpatrick, and Commodore Rodgers, commanding the squadron in the absence of Admiral Pearson at San Francisco, were occupied in an endeavor to bring about negotiations between the two belligerents for an amicable adjustment of the difficulties. Various plans were suggested to the Chilian Government and to Admiral Nuñez for a settlement, none of which were accepted by either party; the former demanding an unconditional abandonment of the war by Spain, and the latter refusing to depart from his plan of hostile operations. The interviews between Commodore Rodgers and Admiral Nuñez convinced the commodore that the admiral would sooner or later bombard the city; and, conscious of the terrible consequences which would result to human life as well as to American property from such an act, he again visited Santiago on the 19th, and proposed to the Chilian Government that the two belligerents fire a mutual salute and once more attempt to settle the matter in a friendly way. This was rejected by Mr. Covarrubias, the Minister of Foreign Affairs; and on the 20th General Kilpatrick and the commodore returned to Valparaiso, to learn, if possible, the ultimatum of the Spanish admiral. As the other members of the diplomatic corps remained entirely inactive, and an official announcement of a bombardment was daily expected, the Representatives of the United States determined to make another effort to avert, if possible, the bombardment. To that end General Kilpatrick and Com-

modore Rodgers visited, on March 21st, the *Numancia*, Admiral Nuñez's flagship. The latter consented to visit, on March 23d, the American flagship, *Vanderbilt*, and to have a full discussion of the questions between Spain and Chili. At this visit Admiral Nuñez stated that the terms upon which peace must be made, were dictated by his Government, and were in substance as follows:

1. The Chilian Government to pass a note to Admiral Nuñez, stating that Chili had no intention or wish to insult Spain in the actions complained of, and that the treaty between Chili and Spain had not been broken, but only interrupted, by the declaration of war. Chili should also deliver up the *Covadonga*, her armament, crew, and officers.

2. In return for this, Spain would give a note to Chili that she did not desire to humiliate Chili, or to seize any of her territory, but that she had great respect for the independence of the South American republics. She would also give up in exchange for the *Covadonga* and the Spanish prisoners all the prizes (twelve in number) captured in the Chilian waters, together with all Chilian prisoners.

3. A reciprocal salute of twenty-one guns to be fired, Chili firing the first gun from one of her fortresses, and some vessels of the Spanish fleet replying gun for gun. After these preliminaries Admiral Nuñez would proceed to Santiago, in the capacity of envoy extraordinary and minister plenipotentiary, for the purpose of consummating the new treaty of peace.

After making these propositions known to General Kilpatrick and Commodore Rodgers, Admiral Nuñez stated that he would wait for a reply from the Chilian Government until eight o'clock on the morning of the 27th, at which time, if there was no answer, he should commence more stringent measures. General Kilpatrick returned to Santiago on the 24th, and next morning informed Mr. Covarrubias of the result of the interview with the Spanish admiral. The Chilian Minister of Foreign Affairs, after listening to the terms proposed, stated that they could not be accepted, and that all similar propositions must be rejected. There were numerous reasons given for declining the proffered terms, the principal ones of which were that Chili could accept no peace while her sister republics, her allies, were threatened, nor could she exchange the *Covadonga*, a prize won in fair and open battle on the seas, for any number of merchant vessels picked up by the Spaniards in undefended ports.

Commodore De Courcy, of the English squadron, having visited Santiago for the purpose of consulting with the British minister concerning the best plan for averting the threatened destruction of Valparaiso, an informal meeting of the diplomatic corps was held at the English hotel, and it was finally decided that the foreign ministers would proceed in a body to Valparaiso and, if possible, save the city. On March 27th General Kilpatrick visited the *Numancia*, and informed Admiral Nuñez that the Chilian Government had declined to accept the terms mentioned by him as the basis of peace. The admiral merely remarked that he must carry out his instructions, and delivered to the general the following manifesto:



## HEADQ'S OF HER CATHOLIC MAJESTY IN THE PACIFIC.

*Manifesto to the Diplomatic Corps resident in Santiago:* The memorandum addressed by his late excellency, General Pareja, to the governments of the Spanish American republics, on the 24th of last September, and the circulars of later date of his excellency Don Manuel Bermudez de Castro, Minister of State, must have well informed the corps of which your excellency is the worthy head, of the causes of the war between Spain and Chili, and doubtless must also have made manifest to it that the nature of those causes left open to Spain no other road (amends for the offences which constituted, and still constitute, these very causes, having been refused by Chili) than that of appealing to the ultimate recourse of governments to obtain them.

While the dire necessity still existed, the Government of Spain and its representatives in these waters carried away, it may be said, by the proverbial generosity of the Spanish nation—a generosity natural in a people which feels itself noble and great—desired to employ their means of coercion with all possible lenity, in the belief that the superabundant strength of these means, and the generosity with which they were employed, being appreciated at once and the same time by Chili, the amends which most justly she has owed and owes to Spain would be obtained—a justice ostensibly recognized by two of the first powers of Europe from the moment in which, in order to put in practice their good offices, they agreed with Spain upon certain conditions which demonstrate without any room for doubt whatever that justice; and according to which an end might be put to the conflict decorously for both parties. The blockade of Chili was established and carried on with so much generosity that neither neutrals nor enemies of Spain can ever fail to recognize that it was impossible to keep it in stricter limits within those imposed by the laws of war. There cannot, perhaps, be found within the annals of war up to the present date among civilized nations greater lenity or more tolerance. Perhaps, also, this lenity and this tolerance may have given rise to the belief in the mind of an enemy, which is so unfortunate as not to comprehend them, that she may with impunity refuse that which justice demanded and still demands of her. If this be the case, as every thing induces us to believe, Spain will appear on this occasion acting in accordance with the dignity of her character; history will ever say that she committed upon this occasion the error which elevates more than any thing else a country in the presence of civilized nations.

And that this opinion of the manner in which the blockade has been practised, and is being practised, is in accordance with the strictest truth, is demonstrated by the unanimity on the part of the ministers and agents of neutral nations in thus recognizing it. But it was not sufficient for Spain, assisted as she was and is by justice and by force to sustain it, to carry her moderation even to the most extreme limits. From the moment in which they were presented by France and England she accepted the good offices which both nobly tendered her, to terminate the conflict in such a manner as might leave unsullied the honor of the two countries, which could only be engaged in war by a blindness like that of Chili, punishable by the law of nations. Prior to the breaking out of hostilities, and after their commencement, there is not a single act which does not fully demonstrate the disinterestedness of the conduct of Spain, and her constant desire to reestablish peace. Evidences as respectable as irrefutable thereof are—in America that which the United States can give; in Europe, that which can also be given by the other two nations cited.

With such antecedents it is impossible for Spain to carry further her forbearance. Countries which have a consciousness of the justness of their cause, and of their power to sustain it, may sacrifice upon

the altar of that moderation, which both things impose upon them, their legitimate desire of obtaining at once, by their own hands, the amends which unjustly are denied them; but they cannot, by any means, pass the limit beyond which their power would be wounded, and a prestige sullied, which a history, each one of whose pages relates a glory, has secured for them. Spain has arrived at that limit, and it is necessary, indispensable for her, consequently, to break definitely with the Government which comprehends so badly the duties which civilization imposes upon it, in its relations with others; which interprets so illy those which that same civilization prescribes to every country in its internal government, since it does not hesitate to cause Chili to suffer the evils of a war unjust on her part; with a government in fact which fails to recognize that which the dignity of others claims. Affairs being in this situation, Spain has done what honor indicated: she notified her vessels in the Pacific to seek their allied enemies, and this instruction has been complied with, two of them having compromised themselves, nautically speaking, in regions thickly strewn with all sorts of difficulties, even greater through the uncertainty of their situation; passing where others of their size had never passed, up to the extreme point of nautical temerity, to place themselves in the view of their enemies who, situated in a point perfectly well chosen, and with obstacles which prevented touching them, only received such injury as, although considerable, could be caused by a fire at long range. But yet neither these difficulties, or yet to speak better, these continued dangers of the locality, nor the very frequent fogs which it may be said daily covered them, intimidated us; and another new expedition went in search of the enemy, who, not thinking himself sufficiently safe in the position he had occupied, had sought salvation in the numerous and narrow sinuosities, which formed not only an impassable bulwark for him who hid behind them, but also rendered it impossible to attack him with the class of vessels composing the Spanish squadron in these seas.

Consequently the impossibility of getting within gunshot of vessels which sheltered themselves behind the impassable local barriers, and the persistence of Chili in refusing the amends justly demanded of her, imposed upon Spain the painful but unavoidable duty of making her to feel all the weight of rigor to which that country exposes itself which absolutely refuses to recognize the duties imposed upon the civilized communities of the world; and in this view, and for reasons of war, the cannon of the Spanish squadron will bombard the city of Valparaiso, and any other which they think proper; an act of hostility which, although terrible, is legitimized by the irrefutable reasons already enumerated; a legitimacy which will place upon the Government of the republic all the responsibility of the damage which may be caused to neutral interests; for the placing of which in this port in safety, four days are granted, at the expiration of which, said bombardment will take place.

On board of the frigate Numancia, in the bay of Valparaiso, March 27, 1866.

C. MENDEZ NUÑEZ.

On the same day the admiral officially informed the commandant of Valparaiso that he would open fire upon the city on March 31st, and requested the commandant to order that the hospitals and other buildings dedicated to charitable purposes should have some flag or signal that might distinguish them, so as to prevent them from suffering the rigors of war.

The foreign residents held a public meeting, and implored the representatives of their governments for protection. On March 28th Gen-



eral Kilpatrick invited the English, French, Prussian, and Italian ministers to meet at his rooms, stating in his communication: "To prevent the consummation of an act so cruel and inhuman; to prevent the total destruction of a city composed almost entirely of Europeans and Americans—a city which is to-day totally defenceless, and that through the advice of foreign representatives—I feel it my duty to call upon you to assist me. Of the present difficulties between Chili and Spain we, of course, have nothing to say; but as the representatives of enlightened nationalities we have much to say why a helpless city, not the property of either of the belligerents, should not be laid in ashes, thousands of helpless women and children driven from their homes to die amid the desert hills, and why civilization upon this coast should not be set back to an indefinite period."

The Prussian minister and the consul-general of Italy were in favor of energetic action, but the English and French ministers declared themselves opposed to the use of force, and failed to attend the meeting to which they had been invited. The efforts for bringing about a combined resistance having failed, General Kilpatrick addressed, for himself alone, a protest, in which, after acknowledging the receipt of the note of Nuñez of March 27th, and recapitulating the arguments used by Nuñez to justify the bombardment, he says:

These reasons fail to satisfy the undersigned, as they will fail to satisfy civilized nations, that his excellency the Spanish admiral is justified in resorting to a species of warfare which he himself most truly qualifies as terrible, in order to punish an enemy whom he has thus far failed to punish by legitimate modes of warfare. While belligerent rights permit a recourse to extreme measures for the carrying out of legitimate military operations, they do not include the wanton destruction of private property where no result advantageous to the lawful ends of the war can be attained. International law expressly exempts from destruction purely commercial communities such as Valparaiso, and the undersigned would beg his excellency to consider most earnestly the immense loss to neutral residents, and the impossibility of removing, within the brief term allotted to them, their household goods, chattels, and merchandise. If, however, his excellency persists in his intention to bombard the port of Valparaiso, in spite of the earnest remonstrances contained herein, it only remains for the undersigned to reiterate in the clearest manner, in the name of his government, his most solemn protest against the act, as unusual, unnecessary, and in contravention of the laws and customs of civilized nations, reserving to his government the right to take such action as it may deem proper in the premises.

During the forenoon of the 28th the foreign consuls in Valparaiso, with the exception of the English and French, waited in a body on General Kilpatrick, and formally thanked him for his efforts and those of Commodore Rodgers to bring about a peaceful adjustment of the difficulties between Spain and Chili. Several delegations of English and other foreign residents also called for the same purpose, but no further steps were taken to prevent the bom-

bardment, and all the transportation that could be brought into use was employed in removing the inhabitants and property. An energetic protest against bombardment was also signed (March 27th) by the consuls of Portugal, Prussia, Denmark, United States, Hanover, Austria, Bremen, Oldenburg, Switzerland, Colombia, Brazil, Italy, Holland, Guatemala, Sweden and Norway, Hamburg, San Salvador, and the Sandwich Islands, in which they say:

International law does not permit the bombardment of undefended places and the destruction of ports like this. It is condemned in itself, but in this particular case it will be more so, since Spain on all occasions has solemnly declared in the present war that she will always respect neutral property, and will endeavor to avoid injuries and damages of the war to neutrals. Under the shield of this promise the foreigners resident in this city have continued in their peaceful avocations, confident that Spain would faithfully comply with such solemn pledges. The port of Valparaiso, your excellency well knows, represents throughout its entire extent valuable neutral interests, and its destruction would fall almost exclusively upon subjects of powers friendly to Spain, while the country itself will scarcely feel the effects of so violent an act. The bombardment of Valparaiso may be rather considered as an act of hostility against neutral residents, since its effects will be felt by them alone.

History will certainly not present in its annals any event which can rival in horror the picture which will be presented by the bombardment of this city. It will be an act of vengeance so terrible that the civilized world will shudder with horror in contemplating it, and the reprobation of the entire world will fall upon the power which may have carried it out. The burning and destruction of Valparaiso will be the certain ruin and destruction of a flourishing city; but be your excellency well-persuaded that it will also be an eternal blot upon Spain. Valparaiso will rise from her ashes, but never will the stain be wiped away which sullies the flag of Spain, if your excellency persists in carrying out so cruel an attempt. If, notwithstanding all, your excellency carries it out, we shall find ourselves under the inevitable necessity of protesting in the most solemn manner, as in effect we do now protest, against such a proceeding, as against the interests of our constituents, reserving to our governments the right to reclaim from the government of her catholic majesty the enormous injuries which their citizens will suffer. We protest, in the face of the civilized world, against the consummation of an act which is in contradiction of the civilization of the age.

The consuls of England, France, and the Argentine Republic, united in another protest to Admiral Nuñez, reiterating the sentiments expressed in the above. A protest was also sent by Mr. Gomez, the minister of Honduras, and by the Peruvian and Bolivian Ministers. The consuls also addressed a petition to Commodore Rodgers for protection, to which the following reply was given:

March 29, 1866.

GENTLEMEN: I regret to announce that I am not able to comply with your wish to impede, with the forces under my command, the project of the Spanish government to bombard Valparaiso. My action was premised in case the other foreign powers would unite with the forces of the United States. They judging that it was not within the limits of their instructions to coöperate, and as I never have proposed to act alone, but always have said that I was



only able to move in union with them, my armed intervention cannot take place. In this unhappy juncture I wish, believe me, to do all in my power to protect the interests of neutrals, and I am satisfied that the Spanish admiral will do all in his power to spare innocent blood and the destruction of private property, employing solely the force necessary to comply literally with his instructions.

I am, sirs, with much respect,

Your obedient servant,  
JOHN RODGERS, Commodore.

A similar answer was given to the memorial of the American merchants and residents of Valparaiso.

On March 29th there appeared a proclamation from the President of Chili, exhorting the people to trust in the government, which would not sign any agreement dishonorable to the republic, and to moderate their just wrath.

The bombardment, as had been threatened, took place on March 31st. At nine o'clock, A. M., the first shot was fired upon the city. It proceeded from the Blanca, and was aimed at the custom warehouse. Accompanied by the cry of "Long live the queen!" the firing soon became general. For three and a quarter hours the bombardment was continued. Not an opposing shot was fired in defence of the city; not a hand was lifted in opposition to the Spanish squadron. With the means at their command, it was useless for the Chilians to resist the attack. The destruction of property was immense. The warehouses, containing millions of dollars' worth of foreign merchandise, were almost totally demolished. It is here that the bombardment affected foreigners so generally. All the public and many private buildings were completely ruined. The Hotel de la Union was fired by a red-hot shot, and all that portion of the city in its immediate vicinity was consumed by the conflagration. To complete the entire destruction of the custom warehouses, a fire broke out about 11:45 o'clock, A. M., which speedily enveloped the whole of them in flames. Nothing was spared by the enemy within range of their guns. Public property and private, hospitals and churches, wharves and their appurtenances, were each and all made an object of attack. After firing between two thousand and three thousand shot and shell point-blank into the city, the flagship Numancia gave the signal to withdraw. The last shot was fired at 12:30 o'clock, P. M. The frigates immediately got under way after the firing had ceased, and proceeded to the anchorage from whence they came in the morning. The foreign fleets resumed their old positions, and on the water every thing soon bore its usual appearance. Immediately after the firing ceased, the people on the heights rushed into the city, and strove to check the conflagration, in which they partially succeeded. Owing to the fact that nearly all the inhabitants had left the place, the number of killed and wounded was comparatively small.

Commodore Rodgers, in an official report to Secretary Welles, dated March 31st, gives the following account of his proposition to prevent the bombardment by force, in case the English should be willing to join the responsibility:

SIR: I have the honor to announce that upon my arrival in this port with the squadron under my command I called upon the English admiral, who had informed me that he intended to prevent any sudden bombardment, and would only suffer it after ample notice. To this I made no reply, but, having considered the matter, sought the occasion the next day to say that I would join him in preventing any sudden bombardment, and that I would also go as much further as he chose. I assured him that the Monadnock could take care of the Numancia; that, from target experiments I had witnessed, I was absolutely certain that in not less than thirty seconds, and not more than thirty minutes, the Monadnock herself, entirely unassisted, would leave only the mastheads of the Numancia above water, and that our wooden vessels, English and American, could look out for the wooden vessels of the Spaniards.

I told the English admiral that his commerce was more extensive than ours, and more convenient to the coast of Spain; but as he had more to suffer in consequence of a rupture with Spain, he had also more to preserve by interference—that his interests in Chili rose to thousands, while ours were only hundreds.

The English admiral said, at first, that he would accompany me, for I plainly declared that I would not take a step without him. I said that I had no intention of becoming a cat's-paw to draw European chestnuts out of the fire, and then have the power I saved laughing at my singed paws while they enjoyed the fruits of my temerity.

The English admiral finally determined to throw the responsibility upon the English minister, who did not choose to act in the premises. English coöperation having failed, no separate action on my part was taken, as none had been proposed.

The losses sustained by the bombardment were estimated as follows: public property, \$432,500; private property, \$450,500; furniture, \$100,000; merchandise, \$9,200,000—total, \$10,183,000. The private property was said to be divided as follows: belonging to Chilenos, \$352,500; belonging to foreigners, \$9,398,000. As soon as the blockading fleet had left, a manifesto setting forth the facts connected with the investment and bombardment of Valparaiso was prepared by the consular body, to be sent home to their respective governments. The manifesto was signed by the consuls of Portugal, France, England, Hamburg, Prussia, Denmark, Belgium, Netherlands, United States, Sandwich Islands, Bremen, Oldenburg, Hanover, Brazil, Saxony, Argentine Confederation, Italy, Sweden and Norway, Austria, Salvador, Switzerland, Guatemala, Lubeck, and the Republic of Colombia. After reciting the circumstances preceding the bombardment the consuls state:

That they have done all in their power to cause the commander-general of her Catholic majesty's naval forces to desist from his purpose, reminding him that the point at issue is an entirely indefensive city; that the bombardment would prove the ruin of numberless neutral families not interested in the question between Chili and Spain, and the government of Chili would suffer damages of but comparatively small importance; that the space of four incomplete



days, and those being of the holy week, was too short a time for the end indicated; and more so, if the circumstances is taken into consideration that this city is one of more than seventy thousand souls, and that it contains enormous deposits of merchandise. That the bombardment of Valparaiso was an act contrary to the principles of humanity which regulate the conduct of civilized nations toward each other. That relying upon the humanitarian sentiments of the commander of her Catholic majesty's squadron, we had flattered ourselves that he would only make use of projectiles incapable of causing a fire in that quarter of the city toward which he might direct his shots. That we must acknowledge with pain that this hope was not realized, as the vessels of the said squadron have discharged shot of every description on the city.

The manifesto then specifies the principal acts of the squadron during the bombardment, and concludes as follows:

It is a notorious fact, witnessed by the whole population, that one of the frigates stationed in front of Planchada Street, mostly habited by French commerce, fired directly on that part of the city, and at a distance of about one hundred and fifty metres from the governor's house, at which building another vessel was directing her shots. It is equally notorious that another frigate, occupied in firing at the railroad station, situated at the extreme east of Valparaiso, fired her whole broadside on two separate occasions on the centre of the part called Almendral, distant about half a kilometre from the railway buildings, which part of the city included no government property, but contains the hospitals and charitable institutions, which were under the safeguard of the word of the commander of her Catholic majesty's squadron. It is not licit to presume that the above-mentioned commander has wished to break his word; but, as the fire of her Catholic majesty's ships was not returned from shore, and the commander of each one of the vessels could take up his position at will, and without reserve or fear of being attacked, there is no reason to suppose that the above-mentioned facts could have originated in a false movement or have had such fatal consequences. In support of this exposition it is the duty of the undersigned to mention that various projectiles struck the civil hospital. Among them a grenade, which, happily, did not explode, fell in the room where the Sisters of Mercy were collected together with the girls from the Asylum of Salvador; that the flag hoisted by the Argentine consulate-general has been traversed by a ball; that various shots have passed the site where the buildings of the French priests are situated; that the Matriz church, serving on that day as an infirmary, has suffered considerable damage, caused by various projectiles, and that all the above-mentioned buildings are situated at long distances from any State property.

On April 14th, Admiral Nuñez informed Commodore Rodgers that he had raised the blockade of Valparaiso. At the same time it was announced that the blockade of Callao, Peru, would commence on April 27th, six days from that date being allowed for neutral vessels to leave the port. (*See PERU.*) The whole Spanish fleet left the Chilian waters, and no further hostilities against Chili were committed during the remainder of the year. The efforts of France and England to mediate in the war and bring about a conclusion of peace, remained, however, fruitless.

On May 28th, the Government of Chili issued a decree, ordering all Spanish subjects to

leave the republic within thirty days, or take out naturalization papers. Subsequently this term was extended one month. Nearly all the Spaniards in the country availed themselves of the opportunity to become citizens. Most of those who preferred to leave went to Buenos Ayres.

An election for president took place on June 26th, and resulted in the reelection of President Perez, by a majority of two-thirds of the electors. The mode of conducting the election is very similar to that in the United States. One member of Congress is allowed to each twenty thousand of inhabitants, and three presidential electors are provided for each congressman. The qualifications of voters are the attainment of twenty-five years of age, the ability to read and write, and an annual income of four hundred dollars. The judges of election are appointed by the municipal bodies of the respective cities and districts in which the polls are opened, and the voting is done by ballot, at tables generally placed in the plazas and protected by soldiers. A residence in the country of five years is necessary for a foreigner to become naturalized, unless he marries in Chili, when he can take out his papers in two years.

CHINA, an empire in Eastern Asia. Emperor, Ki-Tsiang (before his accession to the throne Tsai-Sung), born in 1855; succeeded his father, Hieng-Fund, in 1861. The estimates of the area of China Proper vary from 1,294,000 to 1,548,000 English square miles; and of the area of the dependencies of China, from 3,012,000 to 3,118,000 English square miles. The population of China Proper was, in 1812, estimated at 361,993,179; in 1842, at 414,686,994; and in 1866, at 450,000,000. The population of the dependencies of China is estimated as follows: Mantchooria, 3,000,000; Mongolia, 3,000,000; Thian-Shan-nanlu and Thian-Shan-pelu, together, 1,000,000; Thibet, 11,000,000; Corea, 9,000,000; the Lieu-Khien Islands, 500,000. At the head of the department of Foreign Affairs is Prince Kong. The Chinese army, according to a recent statement (Moyer, "Recollections of Baron Gross's Embassy to China and Japan," London, 1860), consists of about 600,000 men, scattered throughout the empire. Besides, there are about 200,000 Tartars at the immediate disposition of the Government. The soldiers, when not on duty, practise some trade at their residences, so that it may be said that China has no standing army.

The relations of China with foreign countries are every day becoming more friendly, and intercourse is steadily increasing. An arrangement was made, in 1866, whereby telegrams for transmission, *via* Kiatcha, by being delivered to the Russian consulate at Tien-tsin, or the Russian telegraphic agency at Pekin, can be transmitted to all parts of Europe. The telegrams will be dispatched from Pekin to Kiatcha by the earliest opportunity after receipt, a messenger leaving regularly once a week.



The value of imports and exports in the open ports was, in 1865, as follows:

PORTS.	Exports.	Imports.
Shanghai.....	£29,709,575	£12,227,153
Foochow .....	2,616,637	4,521,203
Canton .....	2,281,354	3,862,039
Ningpo .....	3,348,601	1,454,569
Amoy .....	2,046,033	994,129
Swatow .....	1,526,404	694,807
Tien-tsin.....	2,205,739	304,405
Chefoo .....	759,178	498,932
Hankow .....	3,308,772	4,247,302
Kinkiang .....	1,061,788	2,436,780
Chinkeang.....	1,522,603	230,276
Total.....	£50,386,684	£31,471,595

A commercial treaty was concluded with Belgium, and the ratified copies were exchanged on November 10th by Baron Kint de Roodenbock, on the part of the King of the Belgians, and Koo, acting Futai of Keangsoo, on the part of the Emperor of China; Dr. Winchester, British consul, Mr. Morel, and Messrs. Stronach of the British consular service, attending. The exchange was followed by a banquet, at which some eloquent speeches were made. Another treaty of commerce was concluded with Italy, and signed at Peking, October 26th.

In March a convention was entered into at Peking between the British and French ministers and the Chinese Government, whereby it will now be lawful, under certain restraints and regulations, for any person residing in one of the open ports of China to obtain from his consul a license to open a coolie emigration office. Previous to granting a license the consul will have to assure himself of the solvency and respectability of the applicant; but when the license has been granted, it cannot be withdrawn except upon sufficient grounds, and then only with the consent of the consul. The Chinese employed by the emigration agent to find him emigrants will be provided with a special license, and will be alone responsible for any actions he may commit in contravention of the laws of the empire. But rules are laid down to secure the Chinese coolie from ill-treatment, or from the chance of not being able to return to his country. No obstacles are thrown by the Chinese Government in the way of its subjects embarking for foreign countries of their own free will; but any attempt to induce them to do so otherwise than the regulations provide is strictly forbidden; and Chinese subjects are punishable by death for the offence of kidnapping men, and sending them abroad against their will.

An event of the utmost importance for the future of China and Eastern Asia in general, is the opening of the new steamship line from San Francisco to China and Japan, as now the trade of the East, that prize which all commercial nations of modern times—the Portuguese, the Spanish, the Genoese, the Dutch, and the English—have contended for through three centuries promises now to fall to the United States. The

first steamship of this line, the Colorado, sailed from San Francisco on January 1, 1867. On the day before, December 31, 1866, the event was celebrated at San Francisco by a great dinner, at which a number of Chinese merchants delivered speeches in English. The exports from San Francisco to China have hitherto been as follows:

	Treasure.	Produce, &c.	Total Exports.
1856.....	\$1,555,538 18	\$286,075	\$1,841,613 18
1857.....	3,139,485 91	308,807	3,448,292 91
1859.....	3,125,291 07	250,731	3,376,022 07
1860.....	3,337,209 57	635,835	3,973,044 57
1861.....	3,525,325 42	713,841	4,249,166 42
1862.....	2,669,205 56	793,762	3,462,967 56
1863.....	4,274,085 22	1,230,043	4,504,128 22
1864.....	7,532,865 94	1,393,236	8,926,101 94
1865.....	6,943,692 74	1,388,250	8,331,942 74
1866.....	6,533,510 01	1,465,630	7,999,140 01

The exports of flour and grain have been as follows:

	Wheat, 100 lb. sacks.	Barley, sacks.	Oats, sacks.	Flour, bbls.
1861.....	21,396	784	3,227	20,445
1862.....	21,053	.....	3,203	17,173
1863.....	135,183	.....	2,595	52,027
1864.....	147,236	200	4,406	54,979
1865.....	138,087	2,976	1,878	31,726
1866.....	203,764	2,954	2,768	106,960

A rapid development of this trade is expected under the improved means of communication, which, at the same time, cannot fail to give a powerful impulse to the emigration of Chinese to the United States.

The foreign merchants in China begin to discover that native traders are completely supplanting foreigners at the minor ports. Availing themselves of the steamers which ply from Shanghai to all the treaty ports, native merchants come to Shanghai, as to an emporium from Chefoo and Tien-tsin, from Kinkiang and Hankow, from Chinkeang and Ningpo, purchase those articles of foreign import which their countrymen consume, and take them back with them on their return. Having thus provided themselves on equal terms with the foreign merchants, their immunity from the squeezes of a *compradore* and the heavy expenses of a foreign mercantile establishment, enable them to undersell and monopolize the trade. It is thought that in regard to most ports, the foreigner's only chance of recovering his ground appears to be to place himself on equal terms with his native competitor by acquiring the language, and thus relieving himself from the *compradore*, in whom he has now to implicitly confide, at the price of a "squeeze" of two and a half per cent. on every transaction. But for Chefoo and Tien-tsin another course has been suggested—direct importation from England of the cotton goods which form so large a portion of their trade.

Piracy continued to prevail in Chinese waters in spite of all the efforts made by the Chinese and English Governments to put it down. The



Hongkong authorities, in particular, entered upon a vigorous crusade against the pirates, and, in September, executed a noted chief, Chat-tai. An ordinance was passed enforcing the registration and examination of native craft frequenting the harbor, and the gunboats were rigorous in their search for piratical craft. This greatly exasperated the pirates, who swore that they would revenge the death of their leader on the crews. That they were in earnest they soon showed by killing the captain and several of the crew of the American vessel *Lubra*, and planning the death of all the crew. The reason why no greater progress is made in the suppression of the evil is found in the remissness of the local authorities in the Chinese ports, who cannot be induced to proceed against the pirates with vigor.

The progress made by Protestant and Catholic missions produces great dissatisfaction among a large class of the natives. In Pekin, some ill-feeling was created by the erection of a temple by the French missionaries at a spot where it could overlook the emperor's grounds. They are said, however, to have allayed his annoyance by promising not to raise it sufficiently high to overtop the palace wall. In Hoonan and the adjacent provinces a proclamation was extensively posted, denouncing at length the interference with established customs, and calling on all loyal subjects to rise and exterminate the missionaries. All foreigners are yecept "English" by Chinese who have not learned at a treaty port to distinguish between the different nationalities; so on the head of the English by name are the thunders invoked. An English writer is made to say: "We come from a 'contemptible mud-bank in the ocean, are ruled sometimes by a female and sometimes by a male, and our specific character is half man, half beast.' Allowed by the extreme kindness of the emperor to trade at Canton, we have not been satisfied, but have penetrated into every part of the empire, 'giving free course to our wild and insane imaginations.'" This sweeping denunciation having been delivered against the English—*i. e.*, foreigners generally—the whole flood of the Chinese writer's wrath is directed against missionaries: "Those who have come to propagate religion, enticing and deluding the ignorant masses, print and circulate depraved compositions, daring, by their deceptive extravagancies, to set loose the established bonds of society, utterly regardless of all modesty. \* \* \* Although the adherents of the religion only worship Jesus, yet, being divided into the two sects of Roman Catholics and Protestants, they are continually railing at each other. \* \* \* Daughters in a family are not given in marriage, but retained for the disposition of the bishop, thus ignoring the matrimonial relation." A hundred other enormities are alleged against these teachers of a new creed; and, in conclusion, the "village elders" are exhorted to assemble the populations "that the offenders

may be hurled beyond the seas to take their place with the strange things of creation. \* \* Their country is fifteen thousand miles from China, beyond a triple ocean. How can the life or death of men be overruled at a distance of fifty thousand *le* across the ocean?"

CHOLERA, ASIATIC. This epidemic, which, before the close of the year 1865, had committed great ravages in Europe and Northern Africa, appeared in the United States during 1866, and caused great mortality in some of the Western cities. It had, indeed, appeared at the New York Quarantine on the ship *Atlanta*, in November, 1865, as stated in the *ANNUAL CYCLOPÆDIA* for 1865, and, as subsequently appeared, had caused twenty-seven deaths at the Emigrants' Hospital on Ward's Island, but there were no farther indications of its presence for several months. Before proceeding to give a detailed account of its ravages in the United States, we give the results of the deliberations of the International Cholera Conference, which, in accordance with the call of the French minister, held its sessions in Constantinople in the spring of 1866. The members of this conference were twenty-three in number, twenty-one of them being the most eminent members of the medical profession in the principal States of Europe, and the other two diplomatists, who had given long and profound consideration to the subject of cholera. Their report is too long to find a place in this volume, but it closes with the following conclusions, which contain the result of their investigations, and in which they concurred with almost entire unanimity:

1. That the Asiatic cholera, which at different times has run over the whole world, has its origin in India, where it had its birth, and where it exists permanently as an endemic.

2. That the Asiatic cholera, wherever it appears, is never spontaneously developed, and has never been observed as an endemic (care must be taken to distinguish secondary foci, more or less tenacious in their character) in any of the countries which have been enumerated (Europe, etc.), and that it has always come from abroad.

3. That there are in India certain localities, comprised principally in the valley of the Ganges, where cholera is endemic.

4. That pilgrimages are in India the most powerful of all the causes which tend to develop and propagate cholera epidemics.

5. That all these facts demonstrate conclusively that cholera is propagated by man, and with a rapidity in proportion to the activity and rapidity of his own movements.

6. That the transmissibility of Asiatic cholera is an incontestable verity, proved by facts which do not admit of any other interpretation.

7. That no fact has proved, up to the present time, that cholera can propagate itself at a distance by the atmosphere alone, whatever may be its condition; and that besides it is a law, without exception, that never has an epidemic of cholera extended from one point to another in a shorter time than was necessary for man to carry it.

8. That if all modes of conveyance from countries affected with cholera are not likely to propagate the disease, it is none the less prudent, at present, to consider all such means of conveyance as suspected.

9. That man affected with cholera is himself the principal propagating agent of this disease, and a



single cholera patient may cause the development of an epidemic.

10. That certain facts tend to prove that a single individual (with much greater reason many individuals) coming from a contaminated place, and suffering from diarrhœa, is able to cause the development of a cholera epidemic; or, in other words, that the diarrhœa called premonitory is able to transmit cholera.

11. That in almost all cases the period of incubation, that is to say, the interval between the moment when the individual may have contracted the cholera poison and the commencement of the premonitory diarrhœa, or of confirmed cholera, does not go beyond a few days; all the facts cited of a longer incubation belong to the class where the contamination may have taken place after departure from the infected place.

12. That there is no known fact which proves that cholera has been imported by living animals; but it is reasonable, nevertheless, to consider them; in certain cases, as belonging to the class of objects called susceptible.

13. That cholera can be transmitted by articles in common use coming from an infected place, and especially by those which have been used by cholera patients; and it also results from certain facts that the disease may be transported to a distance by these same articles when closely shut up from the outer air.

14. That although it is not proved by conclusive facts that the bodies of patients dying with cholera can transmit the disease, it is prudent to consider them as dangerous.

15. That maritime communications are by their nature the most dangerous; that it is they which propagate most surely cholera at a distance, and that next to them comes communication by railroad, which in a very short time may carry the disease to a great distance.

16. That great deserts are a most effectual barrier to the propagation of cholera, and the Conference believes that it is without example for this disease to be imported into Egypt or Syria, across the desert, by caravans from Mecca.

17. That all crowding together of human beings, among whom cholera has been introduced, is a favorable condition for the rapid spread of the disease—and, if this crowding exists under bad hygienic conditions, for the violence of the epidemic among them.

That in this case the rapidity of the extension of the disease is in proportion to the degree of crowding, while the violence of the epidemic is, other things being equal, so much the greater according as individuals have been little exposed to the choleraic influence or not at all; that is to say, in other words, individuals who have already been exposed to the influence of a cholera atmosphere enjoy a sort of relative and temporary immunity which counterbalances the bad effects of crowding.

Finally, in the case of a dense crowd, the more rapid its separation, so much the more rapid is the cessation of the epidemic, at least if new arrivals of unaffected persons do not furnish new aliment for the disease.

18. That the intensity of cholera on board ships crowded with men, is, in general, proportionate to the crowding, and is so much the more violent, other things being equal, if the passengers have not resided in the focus of cholera from which they started; that on crowded ships the spread of cholera epidemics is ordinarily rapid; finally, the Commission adds that the danger of importation by ships, and that of giving rise to a grave epidemic, are not entirely subordinate to the intensity, nor even to the existence of choleraic symptoms appearing during the voyage.

19. That the crowding together of people coming from a place where cholera reigns in a lazaretto, has not the effect of producing, among the people at

quarantine, a great extension of the disease; but that such a gathering is nevertheless very dangerous for the neighborhood, as it is calculated to favor the propagation of cholera.

20. That great gatherings of men (armies, fairs, pilgrimages), are one of the most certain means for the propagation of cholera; that they constitute the great epidemic foci which, whether they march after the manner of an army, or whether they are scattered, as at fairs and in pilgrimages, import the disease into the country which they traverse; that these gatherings, after having been exposed, usually in a rapid manner, to the influence of cholera, become much less susceptible to its power, and that it disappears very speedily, unless newly-arrived persons take the disease.

21. That the hygienic and other conditions which in general predispose a population to contract cholera, and consequently favor the intensity of the epidemics, are: misery, with all its consequences; overcrowding, particularly of persons in feeble health; the hot season; want of fresh air; the exhalations from a porous soil impregnated with organic matters—above all, with the dejections from cholera patients.

It appears demonstrated by experience that the discharges of cholera patients contain the generative principle of cholera; it is right to admit that drains, privies, and the contaminated waters of towns may become the agents for the propagation of this disease.

It seems to result from certain facts that the soil of a locality, once impregnated with cholera detritus, is able to retain for a considerable length of time the property of disengaging the principle of the disease, and of thus keeping up an epidemic, or even of regenerating it after it has become extinct.

22. That the immunity which certain localities enjoy, that is to say, the resistance, permanent or temporary, general or partial, opposed by these localities to the development of cholera within their limits, is a fact which does not exclude transmissibility, but which indicates that certain local conditions, not yet entirely determined, are an obstacle to the development of the disease.

The same immunity, more or less complete, and more or less durable, which the majority of persons in the midst of an infected district enjoy, an immunity which attests the individual resistance to the toxic principle, is a circumstance to which we should attach the highest importance.

In point of view of epidemic development, it is the corrective of transmissibility, and, viewed with regard to prophylaxis, it sets in operation proper means to arrest the ravages of the disease.

23. That the air is the principal vehicle of the cholera principle. . . . . The action of the cholera miasm is so much the more sure as it operates in a confined atmosphere, and near the focus of emission. . . . . It seems that it is with cholera miasm as it is with the miasm of typhus, which rapidly loses its power in the open air at a short distance from its starting point.

24. That the surrounding atmosphere is the principal vehicle of the generative agent of cholera; but the transmission of the disease by the atmosphere, in an immense majority of cases, is limited to a space very near the focus of emission.

25. That water and certain ingesta may also serve as vehicles for the introduction into the organism of the generative principle of cholera.

This granted, it follows, so to speak, necessarily, that the passages by which the toxic agent penetrates into the economy are principally the respiratory passages, and very probably also the digestive canals. As for its penetration by the skin, nothing tends to prove it.

26. That the matter of the cholera dejections being incontestably the principal receptacle of the morbid agent, it follows that every thing which is contaminated by the discharges becomes also a receptacle



from which the generative principle of cholera may be disengaged, under the influence of favorable conditions; it follows, also, that the origin of the cholera germ takes place very probably in the digestive canal, to the exclusion, perhaps, of all other parts of the system.

27. That in the open air the generative principle of cholera loses rapidly its morbid activity, and that this is the rule; but that under certain particular conditions of confinement, this activity may be preserved for an unlimited period.

28. Observation shows that the duration of the choleraic diarrhoea, called premonitory—which must not be confounded with all the diarrhoeas which exist during the time of cholera—does not extend beyond a few days.

Facts cited as exceptional do not prove that the cases of diarrhoea prolonged beyond that period belong to cholera, and are susceptible of transmitting the disease, when the individual affected has been withdrawn from all cause of contamination.

The British members of the conference, Doctors Stuart, Goodroe, and Dickson, reported from Constantinople to the Earl of Clarendon (Foreign Minister of Great Britain), under date of May 25th, and after giving a summary of the preceding conclusions, proceeded to state the following results, to which, after free conference, they had come, on the important subject of quarantine—results as applicable to the United States as to Great Britain. It may be possible that in the case of ships or passengers arriving from infected neighboring ports, the following measures might advantageously be adopted:

1. No person should be allowed to land previous to efficient inspection by medical men appointed for the duty.

2. The healthy passengers should be removed from the ship, and isolated for a period which need not exceed five days; at the end of which time they should be again inspected, and if found without choleraic symptoms should receive pratique.

3. All persons with cholera or diarrhoea at the time of arrival, or at any period of the detention, should be isolated from the rest, and removed to a separate place. Cases of diarrhoea should be retained under observation until the diarrhoea is cured, or until the medical officer in charge is satisfied, from the features of the disease, that it is not of choleraic nature.

We think that the time of observation in such cases of diarrhoea should not be less than eight days from the commencement of seclusion.

Persons having a medical certificate of being sufferers from chronic or symptomatic diarrhoea should follow the rule of the healthy, subject, however, to the discretion of the medical officer in charge.

As the time occupied in the voyage between England and the neighboring ports is short, we have not included it in the period of observation.

We further think that the complete disinfection of the effects of persons coming from contaminated places should be insisted on, and that the period of isolation of the persons should be from the time that they are separated from their suspected property.

All persons (including medical officers) employed in the Quarantine Department, who in any way come in contact with the ships, passengers, crews, or effects, that have arrived from contaminated places, should follow the same rules as the arrivals themselves.

With respect to persons detained in the sick departments of the quarantine stations, the destruction or disinfection of all articles used by them should be imperative.

The application of chemical disinfectants to the discharges, the disposal of these below the surface of the soil, if on shore, and beyond the possibility of contaminating water used for drinking purposes, are indispensable.

The above measures would require the following conditions at each quarantine station:

1. An establishment for the reception of the healthy, capable of completely isolating successive parties of arrivals in distinct classes, well separated from each other.

2. An establishment for the reception of the sick, with an isolated convalescent establishment.

Each of the above should be provided with latrines, having moving receptacles, which should be daily emptied and purified.

3. An establishment for the purification of effects.

The establishments required would certainly be large, but a small number of them placed on a few points of the coast would suffice, if all the ships carrying passengers from infected ports were made to pass through them before receiving free pratique.

We consider that islands lying at some distance from the coast would be the most desirable spots for the institution of quarantine stations. On these wooden—or, still better, iron—constructions might be rapidly raised. In summer weather isolated camps, with tents, might be formed,

In the event of islands not being available, it would be well to select some place on shore capable of complete isolation, and at a considerable distance from any inhabited quarter, or hulks moored at some distance from the land, but never within rivers. It will be observed that several ships at each station would be necessary for the efficient working of the plans proposed.

The principle of isolation, adapted to special circumstances, should, we think, be carried out within the country when the disease has found a footing on shore. We cannot too strongly urge the necessity of excluding from workhouses and general hospitals any forms of choleraic disease.

The sick poor should be cared for in special and isolated institutions.

We have based the suggestions which we have taken the liberty of submitting to your lordship upon the supposition that all the agents employed shall be of an intelligent and upright class; that they shall be specially instructed to watch attentively, and without exciting their suspicion, the persons placed under observation, and report to the medical officers every visit made by any one to the latrines. Without the aid of intelligent and trustworthy agents, it would hardly be possible to limit safely the period of observation to so short a time as above stated.

While convinced that all personal effects should be thoroughly disinfected, we do not think it necessary to extend the measure to mails or to ordinary merchandise.

The epidemic, which in Europe committed its ravages in the autumnal months of 1865, reaching its period of greatest intensity in Paris in October, and about the same time in most of the cities and towns of Western Europe, hibernated during the winter, only sporadic cases occurring, but in the spring, summer, and autumn of 1866, it appeared in many of the European states with great severity. It visited Paris twice in that time—once in the spring and again late in the summer; made great havoc in London, where the deaths, in the week ending July 28th, reached 2,600, and in that ending August 4th, 2,661, and greatly increased the mortality of the other cities of Great Britain. In Holland, during the summer, there were 6,446 cases and 3,866 deaths. In Hungary it



was said to have caused 40,000 deaths, and in the empire of Austria over 100,000. About 300 cities and districts in Europe were visited by it. In October and November it visited Amiens, where 1,000 perished in the first few days out of a population of 65,000; Antwerp, where from 40 to 50 died daily; Berlin, where there were from 50 to 80 deaths daily; Delft, where in 396 cases there were 220 deaths.

In New York, the Metropolitan Board of Health was organized in March, with extraordinary powers, and permission, by appeal to the Governor, for the exercise of almost despotic authority during the apprehended presence of

the epidemic. They immediately commenced daily sessions, and by the most energetic measures fought the progress of the disease inch by inch. New York, and the remainder of the Metropolitan District, had never been so clean, and at the first appearance of the disease in any quarter, the most thorough cleansing and disinfection were practised, and thus the disease was kept within control and at no time assumed a very formidable character. Its first appearance, as in the previous year, was in the steamships from Europe. The following table gives very fully the particulars in regard to all those which had cholera on board:

DATE OF ARRIVAL.	NAME OF VESSEL.	PORT OF DE- PARTURE.	Days on Passage.	No. OF PASSENGERS.		Officers and Crew.	CASES OF CHOLERA.		
				Cabin.	Steerage.		On Passage.	IN QUARANTINE.	
								Deaths.	Died.
April 18.....	Virginia, s. s.....	Liverpool.	14	14	1,028	110	31	66	93
“ 20.....	England, s. s.....	Liverpool.	22	17	1,202	122	250	..	..
May 29.....	Union, s. s.....	Liverpool.	16	7	434	47	24	23	16
“ 30.....	Peruvian, s. s.....	Liverpool.	14	..	758	76	26	76	50
August 15.....	Bavaria, s. s.....	Hamburg.	15	52	226	108	4	1	3
“ 16.....	Johan Martin, bark	Antwerp..	62	..	113	16	13	..	..
September 16....	Gettysburg, ship..	Havre ....	49	..	163	19	4	3	5
“ 26.....	Bellona, s. s.....	London...	22	52	131	51	1	..	..
October 7.....	Helvetia, s. s.....	Liverpool.	20	39	577	115	...	59	15
“ 25.....	Isaac Webb, ship.	Liverpool.	36	3	183	46	11	..	1
“ 31.....	Herschell, ship...	Hamburg.	43	3	366	20	18	..	..
November 7....	Yorktown, ship...	London...	31	3	101	30	4	..	4
“ 7....	John Bertam, ship.	Hamburg.	35	2	453	24	30	3	..
“ 7....	Floride, s. s.....	Havre ....	16	10	489	102	28	12	2
“ 8....	Mozart, bark.....	Bremen...	32	4	351	21	11	..	..
“ 12....	Washington, bark.	Hamburg.	42	..	172	14	19	..	..
“ 21....	Mercury, ship.....	Havre ....	30	1	452	27	...	2	7
“ 28....	Jessie, bark.....	Hamburg.	35	..	241	16	11	..	..
Total.....				207	7,446	965	485	220	192

Died from cholera during passage of all the foregoing-named vessels.....	485
Died from other diseases during passage of all the foregoing-named vessels.....	101
Died on board above-named vessels in quarantine .....	43
Of whom were cholera patients.....	35
Admissions on board the Falcon, with cholera..	393
Admissions on board the Falcon, with other diseases .....	199
Discharged from the Falcon.....	385
Died on board hospital-ship Falcon.....	206
Of whom were cholera patients.....	186
Percentage of deaths from cholera in hospital...	51

Week ending.	Deaths.	Week ending.	Deaths.
June 16, 1866.....	6	Sept. 15, 1866.....	67
" 23, ".....	4	" 22, ".....	54
" 30, ".....	1	" 29, ".....	38
July 7, ".....	0	Oct. 6, ".....	36
" 14, ".....	11	" 13, ".....	13
" 21, ".....	11	Number discovered after each weekly report was made and not included in reports.....	
" 28, ".....	48		
Aug. 4, ".....	239		
" 11, ".....	250		
" 18, ".....	145	Total.....	
" 25, ".....	114		
Sept. 1, ".....	47		
" 8, ".....	50		

There were a few isolated cases of cholera in New York in May and the early part of June, cases for the most part clearly traceable to the cholera ships at quarantine, though in some instances probably cholera morbus was mistaken for Asiatic cholera. The week ending June 16, was the first in which cholera began to be reported in the weekly mortuary records. From that time onward to October 13, when it ceased to appear in the list of causes of deaths, the following were the weekly returns of the Registrar of Vital Statistics of the number of deaths attributable to Asiatic cholera in New York City:

It is a little remarkable that the two weeks of its greatest intensity in New York (an intensity caused by its outbreak in the almshouses and workhouses of Blackwell's Island), should have corresponded so nearly with the period of its greatest intensity in London. The two weeks in which the mortality was greatest in London, as has been already stated, were those ending July 28, and August 4; the two in New York were August 4, and August 11. The epidemic on Blackwell's Island, though sharp, was very short in its duration. The thorough and prompt measures which were taken for the complete disinfection and purification of all the



buildings and their attachments, drove it out effectually in about ten days.

In New York City every place where the disease appeared was thoroughly cleansed and disinfected; a careful visitation of all places suspected of being badly drained, or ventilated, or of containing the *fomites* of disease, was entered upon, and all persons who were suffering from diarrhoea or other premonitory symptoms of cholera, were supplied with preventive medicines. By never relaxing their watchfulness but battling with the disease at every step of its progress, it was so far restrained, that at no period did it assume a very alarming character. There are strong indications, however, that here as in Europe it may appear again the coming season.

In Brooklyn, owing to the inertness of the city authorities, and the obstacles thrown in the way of the action of the Board of Health, the disease was in proportion to the population more fatal than in New York. The number of deaths was between 700 and 800. In the other principal cities the deaths to December 1, 1866, were in St. Louis, 3532; Philadelphia, 834; Cincinnati, about 1200; Chicago, 978; Savannah, 231; New Orleans, 132; Richmond, 164; Vicksburg, 510; Memphis, 889; Louisville, 152; in the army stationed at Richmond, Va., 99; at Jefferson Barracks, Mo., 149; and at Tybee Island, Ga., 90. The returns to the Bureau of Statistics, Washington, D. C., from fifty-three of the principal cities and towns, and from the post commanders and hospitals of the United States Army, give the number of deaths from cholera in those cities, towns, and posts, during the four months ending December 1, 1866, as 10,805. There were in these cities about 250 deaths before August 1, the time when the statistics commence, and the deaths from cholera in places not enumerated would unquestionably swell the total number of deaths from it in the United States to fully 12,000.

It cannot be said that our knowledge of the treatment most successful in cholera has been greatly advanced during this epidemic. The disease did not excite so much terror or panic as in its previous appearances. It was satisfactorily demonstrated that preventive measures, thorough disinfection, good ventilation, the avoidance of violent excitements or of unripe and indigestible food, and the prompt treatment of even slight diarrhoea, were usually sufficient to keep it at bay. But where persons were attacked by it, it could not be said with truth that any one method of treatment possessed marked or decided advantage over all others. Of those attacked even under the most favorable circumstances, full forty per cent died, and this whether the treatment adopted were stimulants, emetics and cathartics, astringents, mercurials, or homœopathic or eclectic remedies. The internal administration of chloroform and tinct. camphor, or of either alone, was perhaps as successful as any mode of treatment. Dr. Collins, a strenuous advocate of

calomel in free doses in the disease, and the author of a work on cholera and its treatment, was one of its first victims at Cincinnati; and other prominent physicians of the different schools who had avowed their confidence in particular plans of medication, found them powerless in their own cases.

It is not to be inferred from this, however, that no medication is of any avail; such an idea has been abundantly proved false in many instances. In Memphis there were in 35 days 1174 cases, of which 826 proved fatal. Of these 551 were whites, of which 322 proved fatal; most of these were under medical treatment, but the disease was especially malignant there, and attacked to a great extent persons of irregular and intemperate habits. Six hundred and twenty-three of those attacked were negroes, living by themselves in a low, filthy, and crowded quarter of the city. These were for the most part without medical attention, and 530 of them died, or more than 84 per cent. Similar statistics from other sections of the country, are equally conclusive in regard to the extreme fatality of the disease when no medication is attempted.

CHRISTIAN CONNECTION, or CHRISTIANS (commonly pronounced Christ-ians), a religious denomination which at present numbers about 3,000 ministers, 5,000 churches, and 300,000 members. The Quadrennial United States Christian Conference met at Marshall, Michigan, on October 2, 1866. The chairman stated that each conference was entitled to as many votes as there were ordained ministers in that conference. Upon calling the roll of conference, the following were represented by delegates: Passamaquoddy—Vermont Western, 18 votes; Merrimack, 20; Rockingham, 15; York and Cumberland, 15; Strafford, 13; New York Eastern, 47; New York Central, 40; New York Western, 14; New York Northern, 11; New York Southern, 14; New Jersey, 14; Tioga River, N. Y., 25; Erie, Pa., 16; Canada, 17; Miami, Ohio, 52; Central Ohio, 29; Maumee Valley, 5; Southern Ohio, 30; Deer Creek, Ohio, 14; Eel River, Indiana, 16; Antioch and Bluffton, 42; Western Indiana, 32; Mason River, 5; Northern Illinois and Southern Wisconsin, 28; Central Illinois, 13; Spoon River, Illinois, 25; Northeastern Iowa, 29; Union, Iowa, 8; Des Moines, 28; Eastern Michigan, 17; Southeastern Michigan, 7; Central Michigan, 6; Grand River Valley, 7; Southwestern Michigan, Northern Indiana, and Western Michigan, 12; Richland Union, Wisconsin, 6; Northern Wisconsin, 12; Jacksonville, —; making in all 40 conferences. The Rev. I. C. Goff, of Illinois, was elected president. A letter expressing fraternal feelings was read from the Association of General Baptists in England, this being the first communication of the kind since 1823. The General Conference replied to this letter by a series of appropriate resolutions, and by appointing a delegate to attend the next annual meeting of



the General Baptists. A committee of three was appointed to raise funds for the establishment of a biblical school which will be located in the State of New York. The organs of the denomination, being three in number (the *Herald of Gospel Liberty*, Newburyport, Mass.; the *Gospel Herald*, and the *Sunday-School Herald*, Dayton, Ohio), were recommended to the attention of the members, and it was also resolved to establish a *Quarterly* and an *Annual Register*. The use of tobacco, in any form, and the use of intoxicating liquors, as a beverage or for sacramental purposes, was censured. The new hymn-book in use in the New England churches was recommended for general introduction. The committee on the state of the country made the following report, which was adopted:

Four years of war, in which more than half a million of human lives were sacrificed; more than a million persons maimed; uncounted multitudes wasted by disease or brutal imprisonment, or cruel starvation, in which thousands of homes, once prosperous and happy, were made the abodes of widows and orphans; in which large portions of our fairest lands were laid waste, and our commercial, social, and religious enterprises embarrassed; in which capital enough was wasted to have purchased, at Richmond prices, every slave in the land, and to have endowed all the schools and colleges in the world; thus four years of terrible war were dealt out to us as the wages of our injustice. We recognized the hand of the righteous God in these chastisements brought upon us for our complicity with the crime of human slavery. We rejoice in the favor of Him who has given victory to our arms and liberty to the enslaved. The military tribunal before which our case was forced by the enemies of our Government and their allies, having decided the physical issue of the great contest, now passes the whole question of moral right with all its responsibilities over to the proper authorities of the loyal people for final adjudication.

This convention believes that Congress and not the Executive should lay down its basis of peace, to be enforced in the reconstruction of the late rebel States. We believe that the control of the Government should be forever secured to the loyal people who came to its support and relief in its hour of peril, and that those who, in perjury and treason, inaugurated the rebellion, murdered and starved our soldiers, plundered and burned our cities, robbed our treasury and threatened our national existence, should be unconditionally excluded from the right of franchise, and required to give suitable pledges for future good behavior. We therefore declare:

1. That we favor the adoption of the Constitutional Amendment proposed by the Thirty-ninth Congress, and do hereby pledge our united influence in behalf of the loyal Congress, as against the corruption and usurpation of the Executive.
2. That we are in favor of impartial suffrage as the inalienable right of all good citizens.

The committee on colleges and schools made favorable reports on the condition of the Wolfborough Seminary in New Hampshire, Le Grand Institute in Iowa, Antioch College in Ohio, Union Christian College in Indiana, and Starkey Seminary in New York. The original platform of the denomination, namely: "That the name Christian is the only name of distinction which we take, and by which we, as a denomination, desire to be known, and the Bible as our only rule of faith and practice," was uni-

versally reaffirmed. The Executive Board of the General Conference was instructed to purchase the Western Christian Publishing Association, and strike from its name the word "Western." The same board was authorized to negotiate for the purchase of the *Herald of Gospel Liberty*, published at Newburyport, Massachusetts.\*

A convention of members of this denomination in the Southern States ("Southern Christian Convention") was held at Mount Auburn, N. C., on May 2, 1866. This meeting passed a resolution requesting every family and church to make a contribution, averaging fifty cents to each member, for the establishment of a publishing concern. A publishing committee was appointed to recommence the publication of the *Christian Sun*, the organ of the Southern churches, at Suffolk, Va., and to put to press at an early day the declaration of principles and history of the church, and a new hymn-book, now being compiled. The *Christian Sun* ceased to exist soon after the commencement of hostilities. The printing establishment at Suffolk was entirely destroyed during the war, and all the funds collected for a book-concern, and deposited in the banks, were lost.

CHURCH OF GOD (also called WINEBRENNERIANS), a religious denomination organized in 1830 by the Rev. John Winebrenner. According to the belief of this denomination, there are three positive ordinances of perpetual standing in the church, viz., baptism, feet washing, and the Lord's supper; two things are essential to the validity of baptism, viz., faith and immersion; the ordinance of feet washing is obligatory upon all Christians; the Lord's supper should be often administered, to Christians only, in a sitting posture, and always in the evening. The church is divided into elderships, which meet annually. A general eldership, consisting of delegates from the annual elderships, is held every three years. The eighth triennial general eldership was held at Decatur, Illinois, on May 31, 1866, and the following days. The following elderships were represented: East Pennsylvania, West Pennsylvania, East Ohio, West Ohio, Indiana, Southern Indiana and Illinois, Iowa, German, Michigan. A. F. Shoemaker was elected speaker. A letter was read from Texas, giving a statement of the rise and progress of the Church of God in that State, the annual eldership of which State, in 1861, seceded from the general eldership on account of the anti-slavery position taken by the latter body. A motion made to recognize the Texas eldership was lost, and the letter was referred to the board of missions. The general eldership recognized Centralia College in Kansas as an institution of the church, and resolved to establish another college in Ohio, West Pennsylvania, Indiana, or Illinois. The subscription list of the weekly denominational organ, the *Church Advocate* (published at Lancaster, Pa.), was re-

\* See "Minutes of the U. S. Quadrennial Christian Conference." Dayton, 1866.



ported to be 2,700, and the board of publication was conditionally authorized to publish a monthly Sunday-school paper, to commence the 1st day of January, 1867. J. F. Weishampel was authorized to publish a German paper. A series of resolutions on loyalty, against slavery, and in favor of equal rights of all men, irrespective of color, were adopted. It was "resolved that the executive board be instructed to apply to the Legislature of Ohio for an act of incorporation of the general eldership of the Church of God in North America." The next triennial meeting is to be held in Lancaster, Pa., in May, 1869. The brethren of Kansas were authorized to form themselves into an eldership, if they deem it practicable. At the annual meeting of the Texas eldership, held in 1866, a desire was expressed to reunite with the general eldership, but no definite resolutions were adopted.

CLAY, CLEMENT COMER, an American statesman, born in Halifax County, Va., December 17, 1789, died at Huntsville, Ala., September 9, 1866. He was the son of William Clay, an officer of the Revolutionary army, who after the close of the war removed with his family to Granger County, Tenn. Young Clay completed his education at the University at Knoxville, studied law, and was admitted to the bar in 1809, soon after which he removed to Huntsville, Alabama (then a territory), where he resided until his death. His legal attainments were such that he rapidly built up a good and lucrative practice, but in 1813, upon the commencement of the troubles with the Creek Indians, he volunteered as a private soldier in the army. In 1817 he was elected a member of the territorial council; two years after was appointed one of the Judges of the Circuit Court, and in 1820 Chief Justice of that Court, which position he resigned in 1823. In 1828 he was sent to the State Legislature and chosen Speaker. The following year he was elected to represent the State in the lower branch of Congress, and occupied his seat until 1835, in which year he was chosen Governor of Alabama, serving two years. Before the expiration of his term he was called to the United States Senate, where he served until the close of the extra session of 1841, when sickness in his family induced him to resign. From that time he devoted himself to the practice of his profession and lived in comparative retirement. During the war he remained quietly at home, rather as a spectator of passing scenes than taking any part in them.

CLEAVELAND, ELISHA LORD, D. D., an eminent Congregational clergyman, born at Topsfield, Essex County, Mass, April 25, 1806, died in New Haven, Conn., February 16, 1866. He was the youngest son of Dr. Nehemiah Cleaveland, a distinguished physician of Topsfield, and, until about sixteen years of age, remained at home working upon the farm and attending the common school. He then began his preparation for college at Dummer Academy, in the neighboring town of Newbury, a

well-known institution then under the care of his eldest brother. In his nineteenth year he entered Bowdoin College, where his distinguished relative, Professor Parker Cleaveland, was then in the height of his celebrity and usefulness. He graduated in 1829, and during the last year of his course was hopefully converted. From the college at Brunswick he entered the Theological Seminary at Andover, and during his third year was licensed to preach. In January, 1833, attracted by the fame of the late Dr. Taylor, he entered Yale Seminary with the intention of continuing his studies another year, but, on the second Sabbath after, he was invited to supply the pulpit of the Third Congregational Church, made vacant by the dismissal of the pastor, and was speedily chosen to the pastorate. In July of that year he was ordained, and under his wise and skilful administration the church greatly increased in numbers and power, and became finally one of the leading churches in the denomination in that city. Thoroughly conservative by the natural constitution of his mind and his early training, Dr. Cleaveland took decided ground against what were denominated the New School views of Drs. Taylor and Fitch, but his position on those questions was also compatible with dignity and courtesy toward those who differed from him in opinion, holding their friendship while discarding their theological views. When it became necessary to erect a new church edifice, he exerted himself to the utmost to raise the necessary funds, and it was mainly owing to his perseverance and indomitable energy that the enterprise succeeded. In November, 1864, Dr. Cleaveland went to Europe, and during his tour of eight months did much to explain the views of the Government with regard to the struggle in which the country was engaged, the resources of the people, and the determination to destroy slavery at all hazards. At Paris, in an assembly of Protestant pastors and delegates from all parts of France, he gave, through an interpreter, an idea of the conflict from which the nation was emerging; and subsequently at London, in the annual assembly of the English Congregational Union, he defined the Northern position with the utmost clearness, creating conviction of the success of the Union cause in the understanding of many who from ignorance or prejudice were embittered toward the North.

Returning with health and strength somewhat renewed, he resumed his work among the people of his charge, who were enjoying a high degree of prosperity as a church, when after a short and not alarming sickness he was suddenly called to his final rest. Dr. Cleaveland was a man of vigorous and comprehensive intellect, sound, practical judgment, decided executive and administrative ability, and above all possessed that active and deep-toned piety which was the key to his eminent success in his long pastorate. His only published works were some occasional sermons.



COLOMBIA\*, UNITED STATES OF. A republic in South America. President (April 1, 1866, to March 31, 1868), General Tomas Cipriano Mosquera. The ministry was, in 1866, composed as follows: Interior and Foreign Affairs, Joseph M. Rojas Garrido; Finances, Francisco Agudelo; War and Navy, Rudecindo Lopez; General Treasurer, Sinforiano Hernandez. The statements about the area considerably differ, as the southwestern and eastern frontier are still subject to dispute. The Colombian Government claims altogether a territory of about 513,000 English square miles, while other statements (not giving to Colombia all the disputed territory) reduce it to 464,700. The Colombian Government claims a population of 2,794,473, not including the uncivilized Indians, whose number is estimated at 126,000. With regard to race, Mr. Samper (*Bulletin de la Société de Géogr. de Paris*, March, 1858), who puts down the whole population at 2,692,614, estimates the pure European population at 1,357,000, the descendants of Europeans and Indians at 600,000, Africans at 90,000, and all others 465,000. The imports of the ports of Panama and Colon were, in 1864, valued at \$35,000,000, and the exports at \$67,000,000.

On December 6th General Mosquera handed in his resignation as President of the republic, to the Supreme Court, giving as his reasons that his predecessor ruled the country so miserably, that he found it impossible to replenish the treasury; that the army was full of abuses, and the treasury had been robbed of upward of a million of dollars by false certificates; that the Archbishop of Bogota and other bishops were in rebellion against the executive; that the circular regarding public order had met with no respect from the Governors of the States; that, in fact, there was a general desire to disturb the public peace, and to make way with him, the general, by assassination, if necessary. It was expected that the Supreme Court would not accept the resignation.

In the latter months of the year a serious difficulty occurred between the Government of the United States of Colombia and the United States minister at Bogota, Mr. Burton. It arose out of remarks made to the Colombian Government by General Piñerez, who, in October, had been sent on a special mission to Panama. General Piñerez, in his report, thought proper, in allusion to the Americans residing there, to affirm—as he alleged on the authority of President Olarte, the Citizen President of the State of Panama—that “the only ground for fearing a revolution within the State was the cupidity and ambition of the Yankees residing in Panama.” As the report was published by the Government in its official organ, and as the Government took no notice of the remonstrance of Mr. Burton, the United States minister, the latter deemed it best to demand his passports, especially as the Colombian Secretary of For-

eign Affairs had left several official communications from him unanswered. The Colombian Government then apologized, but declined the request of Mr. Burton to submit the matter to the diplomatic corps at Bogota. At the end of the year the passport question remained unsettled.

On December 25th President Mosquera published the following decree concerning the Panama Railroad, which it was feared might become a source of great trouble:

T. C. de Mosquera, Grand General, President of the United States of Colombia, looking to the 30th and 35th article of the treaty between Colombia and the Panama Railroad Company, dated April 17, 1850, in which it is stipulated that the company shall pay to the nation five per cent. of the amount of the value of the mails passing across the Isthmus, and three per cent. of the net profits of the enterprise, and considering that in view of the interests of the nation it is necessary to have perfect cognizance of the mails, number of passengers and treasure that pass across the Isthmus, and having in consideration the eminent sovereignty the Government exercises over that part of its territory, decrees that:

1. That postmasters and captains of the ports of Colon and Panama on visiting vessels, and upon view of documents presented to them, shall accurately note: first, the total weight of the mails that are to pass across the isthmus; second, the number of passengers; third, the amount of treasure, and fourth, the total weight of merchandise.

2. From these facts monthly returns are to be made to the Treasury Department, so that from them at the end of the year the commercial statistics may be drawn up.

The Colombian Congress, early in 1866, declined to join the alliance of Chili and Peru against Spain, but in September President Mosquera addressed a letter to the Presidents of Peru and the other republics which had taken part in the South American Congress of 1865, to appoint a time for a new meeting of the Congress for the purpose of effecting the exchange of the ratifications of the treaties concluded in 1865, and of presenting the treaty for adoption to the other republics which had not taken part in the first meeting. The new meeting, in the view of Mosquera, was to discuss the means for securing a permanent peace between all the republics, and to that end fix certain principles of international law, and especially the mutual rights of belligerents and neutrals. The proposition of President Mosquera was favorably received by all the presidents to whom it was addressed.

COLORADO. In the notice of Colorado, published in the preceding volume of this work, it was stated that on January 18, 1866, a bill was reported in the United States Senate for the admission of the Territory into the Union under the constitution adopted by her people in the autumn of 1865. Upon the subject coming up for debate, a strong opposition to the bill was manifested on the part of several Republican Senators. Mr. Sumner spoke earnestly against it, basing his objections upon the inadequacy of the population, the denial of suffrage to colored citizens under the newly-adopted constitution, and upon the fact that a

\* For further information on the Legislature, finances, army, etc., see ANNUAL CYCLOPEDIA for 1865.



large proportion of the people of the Territory were not desirous of admission to the Union. The Senate accordingly refused to order the bill to a third reading; but in the latter part of April this action was reconsidered and the bill passed that body. An amendment offered by Mr. Sumner, that the act "shall not take effect except with the fundamental condition that within the State there shall be no denial of the elective franchise, or any other right, on account of color or race, and all persons shall be equal before the law," was defeated by a large majority. The bill next went to the House of Representatives, where it also passed.

On May 15th the President returned the bill to Congress with his objections, the chief of which were that the erection of Colorado into a State was at that time unnecessary for the welfare of the people; that it was not clearly established that the people were desirous or prepared for the change, and that the population was insufficient, having decreased rather than increased during the previous year. The veto message will be found in PUBLIC DOCUMENTS.

In August an election for Delegate to Congress took place in Colorado, at which George M. Chilcott, the Republican candidate, received 3,529 votes against 3,421 thrown for A. C. Hunt, the Democratic and Administration candidate, and 46 scattering votes. The Territorial board of canvassers found a majority for Chilcott over Hunt of 108 votes, and gave a certificate of election to the former; but the Territorial Governor, Alexander Cummings, gave a certificate to Hunt, mainly on the ground that persons lately in the Confederate service had voted for Chilcott. The State Legislature elected in 1865, in anticipation of the speedy admission of Colorado into the Union, retained its organization during 1866, although without any authority to control public affairs. It was Republican in both branches. The Territorial Legislature had also a Republican majority.

An act of the Territorial Legislature passed in 1862 established the capital of Colorado at Golden City, but until 1866 the Legislature continued to meet at Denver, thus practically ignoring the law. In the latter year Governor Cummings transferred the executive department of the government to Golden City, whence, on December 10th, he transmitted his annual message to the Legislature, which assembled as usual at Denver. He stated that the mining interests, on which the prosperity of the Territory must mainly depend, were recovering from their recent depression, that the crops had been abundant, and that on every hand the immense resources of Colorado were witnessing a fresh development. "The mines," he said, "need nothing but labor to make them profitable in excess of all that has ever been claimed for them; the farmer is sure of large harvests; the climate is wonderfully healthful and invigorating, and every feature of the country invites the immigrant, and gives to his industry the

assurance of success." He recommended that branch roads should be constructed to intersect both lines of the Pacific Railroad, in order that the mineral regions lying around Denver might be reached; and that Congress should be solicited to make appropriations in aid of this object. The immigration from the East, he said, had steadily increased during 1866, and the apprehensions of an extensive Indian war, at one time prevalent, had been nearly dispelled. With regard to the proposed admission of Colorado as a State, he expressed himself as follows:

During the past year, owing to the action of the different departments of the national Government, the people have been much excited on the subject of the admission of Colorado as a State into the Union. It would be idle to attempt to conceal the fact that there are two parties to this issue in the Territory, although a strenuous effort has been made to create the impression abroad that the people were united on the question. But here, where the evidence is readily attainable, it would be equally idle to deny that the party desiring a State government forms a very small portion of the population, and is represented by those who seek personal aggrandizement and place, at the expense of the welfare of the Territory.

Governor Cummings then proceeded to declare himself opposed to the State project on three principal grounds, viz.: the illegality of the convention by which the State constitution was framed; the failure of that instrument to bestow the electoral franchise upon colored men; and the inadequacy of the population of the Territory. Means had been taken, he complained, to convey the impression that the population of Colorado amounted to between fifty and sixty thousand; but the returns of the census, authorized by the previous Legislature to be taken by the assessors of the different counties, and the correctness of which he thought could not be questioned, showed that this estimate was very far from the truth. From fourteen counties the returns were as follows:

Counties.		Counties.	
Gilpin .....	6,847	Park.....	552
Jefferson.....	1,782	El Paso.....	565
Bowler.....	1,456	Arrapahoe.....	4,145
Conejos.....	2,269	Douglas.....	542
Costilla.....	2,192	Weld.....	1,192
Las Animas.....	935	Pueblo.....	800
Fremont.....	508		
Summit.....	456	Total.....	24,331

From the four remaining counties no returns were received, and the Governor estimates the population as follows:

Counties.		Counties.	
Laramie .....	600	Lake.....	500
Clear Creek.....	1,500		
Huerfano .....	1,000	Total.....	3,600

This would give a grand aggregate of 27,931 against 34,277, as returned by the census of 1860, showing an apparent decrease of 6,346 in six years.

Other objections, alleged by Governor Cummings, against the admission of Colorado were, that the Territorial treasury was without money to begin the State government with, which



would render necessary immediately an onerous system of taxation; and that at least two-thirds of the people, from his personal observation, were averse to the project. "In whole sections," he said, "the entire population are opposed to it, with scarcely a dissenting voice, while in no portion is there any considerable degree of unanimity in its favor."

The friends of the project were, nevertheless, by no means inclined to let it slumber, and the arguments which they adduced to support their case showed not merely a decided opposition to the Governor, but an apparently unreconcilable hostility between themselves and him. At the commencement of the second session of the Thirty-ninth Congress, they presented to prominent Republican members an array of facts and figures to show the progress of Colorado in mineral wealth and population, at complete variance with the statements of Governor Cummings. The home opposition they asserted came entirely from him and the candidate to whom he had given the certificate of election as Delegate to Congress, and they denied emphatically that the Territory was declining. From the statistics furnished by them it would appear that the tax valuation had greatly increased, as also the entries of lands under the homestead and pre-emption laws; that the production of gold had doubled within the last year; that the assessments for internal revenue, and the receipts from the post-office, were much greater in 1866 than in 1865; that large sums had been expended in internal improvements; that the crops had been abundant; and that the pretended census was partial, one-third of the important counties not having been returned, and the count in the others being confined to the tax-payers. From the large property valuation of the Territory, and the fact that in 1866, in the midst of harvest-time, nearly 7,000 votes had been cast for an office expected to be abolished by the admission of Colorado into the Union, they inferred that the population could not be less than 50,000 or 60,000, to which immigration was constantly making large additions. Under the influence of these representations a new bill was framed by the Senate Committee on Territories at the close of 1866, with every prospect of its passage through both Houses.

During the last fiscal year, 424,930 acres were surveyed in Colorado, about one-twentieth part at the expense of settlers, and the residue at the cost of the Government. These, with previous surveys, make an aggregate of this service in Colorado of 1,622,251 acres, all on the eastern slope of the Rocky Mountains. The South Park of the Rocky Mountains contains about 350,000 acres of arable land, and the richest placer diggings. In the Middle Park the wagon-road over the range of mountains separating the agricultural regions of the western slope from the mining of the eastern has been completed, which, with the overland road, makes a passable wagon-route from Denver to Salt Lake City, a distance of 150 miles shorter

than the former route. The completion of this road to the Grand River it is believed will lead to the immediate occupation of the agricultural lands of the Middle Park, and the valleys of the Grand, White, and Bear Rivers. The Surveyor-General estimates the quantity of land under cultivation to be 100,000 acres; that one-half of the population are engaged directly or indirectly in agricultural pursuits; that the area of arable land is equal to 4,000,000 of acres; that the immigration of farmers during the last year was of a class of people consisting of permanent settlers, the farming interest keeping pace with the wants of the population, and that a large surplus of all the necessities of life is the anticipated production of the next year.

However opinions may vary as to the population of Colorado, there seems to be no doubt that in 1866 more labor was performed in the mines, and with better results, and more discoveries of mineral wealth were made, than for several previous years. "We are unable," says the *Colorado Times* of December 18th, "to state the number of stamps employed in the Territory, or the probable amount of gold extracted so far during the year; but one thing is rendered certain, that the wealth of the mines has not yet been fairly approached in those localities where operations have been carried on since their discovery; while another thing is equally apparent from continued new developments, that the entire range of mountains which traverses Colorado contains the auriferous ore in great abundance. Indeed, the supply promises, from experiments made, to be inexhaustible, while the extent of country over which it is distributed gives room and opportunity sufficient for any number of operators." Of the variety of the mineral products of the Territory, and of the wide area over which they are distributed, some idea may be formed from the following extract from a letter from the Surveyor-General at Denver to the Commissioner of the General Land-Office, accompanying specimens of carbonate of copper, iron ore, silver, zinc ore, copper matte, fossils, and gypsum:

The copper ore is from the Pocahontas lode, near Bear Creek, and was broken off from a bowlder weighing about ten pounds. The shaft was about ten feet deep, and probably three or four hundred pounds of the same ore were exposed. The silver ore is from the Argentine district, at the head of the south fork of Clear Creek. The specimens were taken from a hill containing several tons, all similar to the specimens. The veins, from which this is taken, vary in width from a few inches to twenty-five or thirty feet, in which the seams of ore, from one inch to a foot in thickness, occur at various intervals. The rest of the vein is filled with quartz, containing in some cases as much as eight hundred dollars per ton of silver in the shape of a chloride of silver diffused through the quartz, and probably the result of the decomposition of the sulphuret ores. Other veins contain argentiferous galena, and in some pure sulphuret of silver is found, but in no very great quantities as yet.

This silver region follows the crest of the range from the head of Clear Creek southward to Mount Lincoln, and probably farther, including the mountains around the head of the Snake and Blue Rivers,



the number of veins discovered already reaching several thousand. Assays above \$100 per ton are the rule, and those below that the exception, while some veins have given an average of \$5,000 to the ton. Three furnaces are in operation at Georgetown, and two more in process of erection, but those in operation are on so small a scale that they reduce but a small percentage of the silver, although that small amount pays largely. As yet there is only a pack-trail to these mines, and the ore is brought down on mules and jacks. One furnace is in operation at Montezuma, on Snake River, for reducing argentiferous galena.

The largest piece of iron ore that I send you was found by Deputy Surveyor George E. Peirce, and is from a bed about thirty miles south of Denver. The bed or vein, which is horizontal, extends from five miles in length to about a mile in width, and forms a mountain of iron. The specular ore is from the South Park, and is in vertical veins similar to the gold veins. The magnetic ore is from near Golden City, and is in vertical veins, bedded in felspar. I have heretofore reported extensive veins of hematite ore near Golden City. Zinc, both in the form of silicate and sulphuret, is found scattered through many of the gold and silver-bearing lodes, and in one vein on Bear Creek I found no metallic ores except sulphuret of zinc.

The specimen of matte which I send you is made at the Lyons furnace, near Black Hawk. It is produced by smelting the gold-bearing sulphurets of copper, and contains all the copper, gold, and silver of the ore. It is about sixty per cent. copper, and varies from four hundred to six hundred dollars per ton in gold and silver. This matte is shipped to Swansea, in Wales, to be separated, the copper paying the expense of shipping and separating. The specimens of gypsum and of variegated limestone are from the base of the mountains west of Denver, where they both occur in unlimited quantities.

The Surveyor-General at Denver has also sent to Washington specimens of silver ore from the Anglo-Norman lode, near the headwaters of Snake River, the product of which will average \$600 of pure silver per ton. The sinking of a shaft some eighteen feet has disclosed the fact that the ore improves in character from the surface down. The Surveyor-General states that this lode is probably as rich as any in the silver district. Discoveries have also been reported by him of argentiferous galena on James Creek, between St. Vrain and North Boulder, which are important as showing a continuation of the metal-bearing veins in a direction nearly northeast from the plains. In addition to these deposits of precious ores, there is abundant evidence that large tracts are underlaid by beds of bituminous coal, which have as yet been very imperfectly worked, and that oil-wells of considerable capacity exist along the base of the mountains.

With a view of bringing to public notice the great mineral resources of the Territory, Mr. George W. Maynard, an experienced miner and geologist, was, early in December, appointed by the Legislature commissioner to the Paris Exposition of 1867. The specimens, to be placed by him on exhibition, comprise no less than 5,000 pounds of gold ore, with other kinds in proportion. It has been proposed that the commissioner should procure the circulation in Europe of pamphlets, in various languages, de-

scribing the mineral, agricultural, and other resources of Colorado; and also that he should visit the principal European mines, and communicate the results of his observations to the Territorial papers.

Though situated upon the western edge of what is called the "Great American Desert," the productiveness of Colorado in grain and vegetables is in some seasons enormous. Sixty and sixty-five bushels of wheat per acre are by no means uncommon, and in 1866 as many as seventy-five bushels of corn per acre were raised on some farms. This is almost entirely due to the intelligent system of irrigation now practised in the Territory. The dry season is so uniform in duration and character, that, provided the farmer has protected himself against drought by wet ditches traversing his farm, he can look forward to harvesting full crops with a degree of security unknown in the East. The chief danger to be apprehended is from the grasshopper scourge, which, in 1865, desolated the whole Territory. One of the richest agricultural districts is that lying along the Arkansas in Southern Colorado. The crops, in 1866, were excellent, but so expensive and difficult is it to get them to market, that but a small profit accrues to the farmer. When the Pacific Railroad reaches Denver, there is little doubt that a branch road will be started southward, along the base of the mountains, toward Santa Fé. This would bring the rich farming country of the Arkansas valley into easy and cheap communication with Denver, and stimulate its agricultural productions immensely. This valley alone could supply a population of several hundred thousand with breadstuffs.

COMMERCE OF THE UNITED STATES. The fiscal year of the General Government ends on the 30th June annually; hence the statements of foreign commerce of the whole country, for the last year, embrace the period from July 1, 1865, to June 30, 1866. It is the opinion of the Secretary of the Treasury, that these figures, taken from the reports of the custom-houses, do not present the whole truth. For many years there has been a systematic undervaluation of foreign merchandise imported into the United States, and large amounts have been smuggled into the country along our extended sea-coasts and frontiers. To make up for undervaluations and smuggling, and for cost of transportation paid to foreign shipowners, twenty per cent. at least should be added to the imports, which would make the balance for the past year against the United States nearly \$100,000,000. It is evident that the balances have been largely against the United States for some years past, whatever may have been the custom-house returns. On no other ground can the fact be accounted for, that a very large amount of American bonds is now held in Europe, which are estimated as follows: United States bonds, \$350,000,000; State and municipal bonds, \$150,000,000; Railroad and other stocks and bonds, \$100,000,000; a total of \$600,000,000.



During the fiscal year ending June 30, 1866, the United States imported :

Foreign merchandise free of duty.....	\$58,801,759
Foreign merchandise paying duty.....	368,508,051

Total, year 1865-1866 ..... \$427,309,810

Of foreign merchandise there was reexported :

Free of duty.....	\$1,907,157
Dutiable .....	9,434,263

Total (mixed gold and currency value)..... \$11,341,420  
Which, reduced to currency value, was equal to..... \$10,263,233

Total foreign merchandise, valued (in gold)..... \$417,046,577  
Imports, specie..... \$10,329,156  
Of which there was reexported..... 3,400,697

Net imports, specie..... \$6,928,459

Total net imports, foreign merchandise and specie..... \$423,975,036

During the fiscal year ending June 30, 1866, the United States exported domestic merchandise, currency value, \$468,040,903, reduced to gold value..... \$333,322,085  
Specie exported..... 82,643,374

Total domestic exports, valued in gold..... \$415,965,459

Apparent balance of trade, valued in gold..... \$8,009,577

The following is a summary of the total exports to foreign countries from the port of New York, for each month of the past six years :

	1861.	1862.	1863.	1864.	1865.	1866.
January .....	\$11,202,737	\$14,888,437	\$19,695,358	\$17,609,749	\$19,746,451	\$22,814,543
February .....	11,007,233	14,113,843	22,400,148	17,211,176	16,774,008	19,002,537
March .....	11,831,384	11,980,714	23,695,082	16,383,236	14,799,626	24,713,856
April.....	11,709,679	12,703,797	14,004,940	19,754,062	8,582,897	23,899,970
May.....	11,732,595	15,832,097	16,002,780	21,682,200	15,513,346	36,937,067
June.....	12,067,031	20,332,375	16,495,293	25,887,531	13,446,116	26,153,374
July .....	10,028,000	23,684,915	21,092,787	33,585,866	13,536,061	19,307,928
August .....	9,890,448	17,443,701	14,454,809	20,977,982	16,235,474	14,511,361
September ....	10,178,846	19,061,471	15,492,518	21,739,826	45,523,314	12,805,773
October .....	13,172,452	26,797,936	21,219,549	20,431,789	23,788,469	16,275,283
November.....	14,577,291	20,603,942	17,292,436	20,473,699	25,126,753	17,750,755
December.....	15,124,445	18,939,615	18,619,334	27,410,438	25,577,766	20,710,807
Total.....	\$143,422,141	\$216,382,843	\$220,465,034	\$263,147,554	\$238,650,281	\$254,883,254

The exports of specie through the year 1866 to the monetary disturbance in Europe and the will be seen to have been large, owing in part consequent return of United States bonds :

TOTAL EXPORTS.	1861.	1862.	1863.	1864.	1865.	1866.
Domestic produce...	\$131,235,995	\$149,179,591	\$164,249,177	\$201,855,989	\$174,247,154	\$186,655,969
Foreign " .....	5,203,959	4,901,383	5,425,579	17,824,095	3,440,410	4,967,102
" free.....	2,154,947	2,853,843	1,037,212	2,142,458	938,735	706,483
Total.....	\$138,594,901	\$156,934,822	\$170,711,968	\$221,822,542	\$178,626,299	\$192,329,554
Specie .....	4,236,250	59,437,021	49,754,066	50,825,621	30,003,683	62,556,700
Total .....	\$142,831,151	\$216,371,843	\$220,466,034	\$272,648,163	\$208,620,982	\$254,886,254

It is evident, from these figures, that the balance is against us, and, chiefly by the exportation of our Government bonds, it is being temporarily and improvidently arranged; temporarily, because a large portion of these bonds have been bought on speculation.

From various causes, the aggregate exports of New York for the calendar year of 1866 were about \$14,000,000 in value less than the year 1865, and about \$29,000,000 less than in 1864. This is in part accounted for by the resumption of the export trade of the Southern

ports in 1865 and 1866—the export of cotton alone from Southern ports being about 1,000,000 bales. If to this we were to add tobacco, naval stores, etc., we would discover one reason why we have been able to import so largely the past year without working serious disturbance to monetary affairs by reason of our foreign balances. The following statement exhibits the quarterly exports for the past six years. As the shipments of merchandise are reckoned at their market price in currency, we have given in the same connection the price of gold:



## EXPORTS FROM NEW YORK TO FOREIGN PORTS EXCLUSIVE OF SPECIE.

	1861.	1862.	1863.	1864.	1865.	1866.
1st quarter....	\$33,477,742	\$32,075,568	\$50,614,908	\$41,429,756	\$46,710,118	\$60,972,531
Price of gold... par.	101½—104¼	101½—104¼	152½—172½	151½—169¾	196¾—234¾	124¾—145¼
2d quarter....	33,123,489	29,798,344	41,046,726	48,446,686	24,216,567	46,766,386
Price of gold... par.	101½—109½	101½—109½	140½—157¾	166½—250	128½—147¾	125 —167¼
3d quarter....	30,075,918	45,313,299	38,825,587	79,519,134	40,521,493	38,381,202
Price of gold... par.	108¾—124	108¾—124	122½—145	191 —285	138¾—146½	143½—147½
4th quarter....	41,917,752	49,747,611	40,224,747	52,426,966	67,178,421	46,009,435
Price of gold... par.	122 —134	122 —134	140¾—156¾	189 —260	148¾—145½	131¼—154¾
Total.....	\$138,594,901	\$156,934,822	\$170,711,968	\$221,822,542	\$178,626,599	\$192,129,554

The total foreign importations at the port of New York the last year were over \$300,000,000; those of the United States for the past fiscal year were about 472,000,000, showing that the imports of New York continue to be from two-thirds to three-fourths of the whole, viz. :

## FOREIGN IMPORTS AT NEW YORK.

	1862.	1863.	1864.	1865.	1866.
Dry goods.....	\$56,121,227	\$67,274,547	\$71,589,752	\$92,061,140	\$126,222,855
General merchandise.....	117,140,813	118,814,219	144,270,386	130,557,998	170,812,300
Specie .....	1,390,277	1,525,811	2,265,622	2,123,281	9,578,029
Total imports.....	\$174,652,317	\$187,614,577	\$218,125,760	\$224,742,419	\$306,613,184

We now give for comparison the previous years since 1851, classifying them into dutiable, free, and specie. Under the head of dutiable is included both the value entered for consumption and that entered for warehousing. The free goods run very light, as nearly all the imports now are dutiable. The imports are much in excess of former years :

## FOREIGN IMPORTS AT NEW YORK.

YEAR.	Dutiable.	Free Goods.	Specie.	Total.
1851.....	\$119,592,264	\$9,719,771	\$2,049,543	\$131,361,578
1852.....	115,336,052	12,105,342	2,408,225	129,849,619
1853.....	179,512,412	12,156,387	2,429,083	194,097,652
1854.....	163,494,984	15,768,916	2,107,572	181,371,472
1855.....	142,900,661	14,103,946	855,631	157,860,238
1856.....	193,839,646	17,902,578	1,814,425	213,556,649
1857.....	196,279,362	21,440,734	12,898,033	230,618,129
1858.....	128,578,256	22,024,691	2,264,120	152,867,067
1859.....	213,640,373	23,708,732	2,816,421	245,165,516
1860.....	201,401,683	28,006,447	8,852,330	238,260,460
1861.....	95,326,459	30,353,918	37,088,413	162,768,790
1862.....	149,970,415	23,291,625	1,390,277	174,652,317
1863.....	174,521,766	11,567,000	1,525,811	187,614,577
1864.....	204,128,235	11,731,902	2,265,622	218,125,760
1865.....	212,208,301	10,410,837	2,123,281	224,742,419
1866.....	284,033,567	13,001,588	9,578,029	306,613,184

Below we give in detail the receipts for customs at New York each month of the last five years :

## RECEIPTS FOR CUSTOMS AT NEW YORK.

MONTHS.	1862.	1863.	1864.	1865.	1866.
January .....	\$3,351,657	\$4,127,906	\$6,180,536	\$4,231,737	\$12,437,474
February. ....	3,565,063	3,590,713	7,474,027	4,791,247	12,008,273
March .....	4,626,862	4,554,460	7,679,770	5,392,099	11,173,154
April .....	4,149,952	3,957,197	13,982,555	6,309,994	10,950,896
May .....	4,784,924	3,873,865	3,855,186	8,133,433	11,418,492
June .....	4,664,927	3,738,934	3,311,143	7,837,075	9,559,818
July .....	7,211,817	4,912,718	3,586,848	9,778,276	11,507,186
August .....	4,762,581	6,296,735	6,237,364	13,113,689	12,349,760
September .....	5,239,045	7,270,543	4,084,492	12,929,615	12,284,144
October .....	4,309,419	6,238,943	3,670,188	10,973,513	11,002,048
November .....	3,003,270	5,075,846	3,455,156	9,933,483	7,716,883
December .....	2,664,593	5,248,189	3,440,852	8,340,750	5,707,547
Total.....	\$52,334,110	\$58,886,049	\$66,958,122	\$101,764,911	\$128,115,675



The total custom receipts for the year amount to \$128,079,761, as given in above table. This is a large increase over previous years, and probably larger than it will be for years to come.

The arrival of vessels at the port of New York from foreign countries during the calendar year 1866, were 4,892, an increase of 230 beyond those of the year 1865. Of these large arrivals, 1,658 were American, or about thirty-four per cent.; the foreign were 3,234, or about sixty-six per cent. of the whole. The various nationalities were as follows:

	Steamers.	Ships.	Barks.	Brigs.	Schooners.	Total.
American .....	185	301	351	351	470	1,658
British .....	331	132	441	1,031	475	2,410
Bremen .....	34	48	83	6	1	172
Hamburg .....	39	26	24	10	...	99
Italian .....	...	2	40	51	...	96
Norwegian .....	...	12	47	17	...	76
Prussian .....	...	10	42	14	1	67
French .....	27	2	8	12	1	50
Holland .....	...	1	9	24	3	37
Hanoverian .....	...	4	7	13	2	26
Danish .....	...	...	16	20	6	21
Swedish .....	...	2	7	13	...	42
Russian .....	...	...	12	...	...	22
Spanish .....	...	2	8	11	...	12
Portuguese .....	...	3	2	10	...	15
Mecklenburg .....	...	2	8	11	...	16
Austrian .....	...	4	9	8	3	24
Brazilian .....	...	...	...	9	...	9
Argentine .....	...	1	6	...	...	7
Belgian .....	...	2	1	2	...	5
Oldenburg .....	...	...	2	3	...	5
Lubec .....	...	...	2	3	...	5
Holstein .....	...	...	1	2	...	3
Venezuelan .....	...	...	...	4	...	4
Mexican .....	1	...	...	3	1	5
Finland .....	...	...	1	...	...	1
Greek .....	...	...	1	...	...	1
Dominican .....	...	...	...	...	2	2
Haytien .....	...	...	...	...	1	1
St. Domingo .....	...	...	...	...	1	1
Total, 1866....	617	554	1,128	1,623	967	4,892
Total, 1865....	454	479	1,024	1,635	1,070	4,662
Increase .....	163	75	104	...	...	230
Decrease .....	...	...	...	12	103	...

The coastwise arrivals during the same period, were:

	Steamers.	Ships.	Barks.	Brigs.	Schooners.	Total.
January .....	125	3	15	22	227	392
February .....	117	2	11	27	193	350
March .....	128	5	17	21	569	740
April .....	132	4	6	17	619	778
May .....	118	2	3	16	659	798
June .....	123	3	6	16	532	680
July .....	111	1	9	11	466	598
August .....	96	5	5	24	490	620
September .....	111	4	9	45	461	630
October .....	105	4	8	35	495	647
November .....	143	2	15	37	388	585
December .....	143	5	7	40	275	470
Total .....	1,452	40	111	311	5,374	7,288
Add foreign arrivals .....	617	557	1,128	1,623	967	4,892
Total, 1866....	2,069	597	1,239	1,934	6,341	12,180
Total, 1865....	2,058	564	1,168	1,934	6,910	12,634
Increase .....	11	33	71	...	...	...
Decrease .....	...	...	...	...	569	454

The whole amount of tonnage transported on the canals of the State of New York during the last season of navigation, ascending and descending, was 5,775,220 tons, and is composed as follows:

Products of the forest .....	1,769,994
Products of animals .....	18,810
Vegetable food .....	1,763,931
Other agricultural products .....	3,319
Manufactures .....	302,241
Merchandise .....	179,878
Other articles .....	1,737,047
Total, year 1866 .....	5,775,220

The value of such tonnage is as follows:

Products of the forest .....	\$28,754,821
Products of animals .....	7,377,796
Vegetable food .....	77,854,997
Other agricultural products .....	1,378,141
Manufactures .....	18,389,992
Merchandise .....	100,169,211
Other articles .....	37,038,718

Total, year 1866 .....	\$270,963,676
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The total movement of freight, or number of tons carried one mile during the last season of navigation, was 1,012,448,034 miles. The total movement of the several classes composing such tonnage is as follows:

Products of the forest .....	233,798,859
Products of animals .....	2,190,916
Vegetable food .....	475,556,914
Other agricultural products .....	483,500
Manufactures .....	42,096,332
Merchandise .....	40,031,747
Other articles .....	218,289,766

Total miles, 1866 .....	1,012,448,034
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The following statement shows the number of tons of each class of property carried on the canals during the season of navigation, in the year 1866, and on all the railroads in the State from October 1, 1865, to September 30, 1866:

Mileage on the canals .....	1,012,448,034
Mileage on the railroads .....	1,048,363,225

The mileage on the canals, or number of tons moved one mile, has increased, since 1865, 168,532,255 tons, and the mileage on the railroads has increased during the same period 181,715,685 tons. Whole amount of tolls received was \$4,436,639, which is composed as follows:

On boats and passengers .....	\$228,468
On products of the forest .....	940,688
On products of animals .....	10,366
On products of vegetable food .....	2,512,286
On other agricultural products .....	1,993
On manufactures .....	153,372
On merchandise .....	131,021
On other articles .....	458,440

Total, year 1866 .....	\$4,436,639
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The whole amount of tonnage arriving at tide-water by way of the Erie Canal, from the Western States and Canada, during the last season of navigation, was 2,235,716 tons. The whole amount of tonnage arrived at tide-water, the products of this State, during the same period, was 287,948 tons

The whole number of barrels of flour, arriving at tide-water through the canals, during the last season of navigation, was 590,704

The whole number of bushels of wheat arriving during the same period, was 7,584,166, which, turned into flour, calculating five bushels to the barrel, would make 1,516,833

Total in barrels .....	2,107,537
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The total number of bushels of corn arriving at tide-water during the same period was 26,-516,535. The whole number of boats, new and old, registered during the last year, was 485, with a tonnage of 74,630, making an average tonnage of 154. The importance of the canals in the development of the resources of the State is fully indicated by the preceding tables, as well as the necessity for their enlargement.

Comparing the season of 1865 with that of 1866, it shows an increase in revenue of \$596,-684, and an increase in tonnage of 1,045,566, divided among the different classes as follows :

Products of the forest, increase.....	302,679
Vegetable food, " .....	101,234
Manufactures, " .....	20,409
Merchandise, " .....	24,910
Other articles, " .....	607,599
	<u>1,056,831</u>
Products of animals, decrease.....	8,481
Other agricultural products, decrease.....	2,834
	<u>11,265</u>
Increase .....	1,045,566

The marketed imports and the exports of the United States for the months of July, August, September, October, November, and December, 1866, so far as given, compare one with another as follows :

SPECIE VALUE OF DOMESTIC EXPORTS AND OF FOREIGN IMPORTS MARKETED—CONTRASTED.

MONTH.	Average price of gold in lawful money for each month.	Imports at declared specie value.				Exports at declared currency value reduced to specie, at the average price of gold for each month.			
		Warehoused.	Specie and bullion, free goods, and dutiable goods entered for consumption.	Goods previously warehoused withdrawn for consumption.	Total marketed.	Specie and bullion—specie value.	Foreign merchandise, dutiable and free—specie value.	Domestic merchandise, reduced to specie value.	Total reduced to specie value.
July, 1866.	\$1 49	\$15,595,017	\$21,998,404	\$13,069,819	\$35,068,223	\$7,244,528	\$726,076	\$14,337,250	\$22,307,854
Aug., 1866.	1 48	12,464,335	23,529,372	13,967,472	37,496,844	2,454,011	874,369	14,568,199	17,896,579
Sept., 1866.	1 45	11,145,170	27,701,976	14,419,435	42,121,411	2,687,274	728,562	14,271,507	17,687,343
Oct., 1866.	1 50	10,908,218	24,684,000	11,483,165	36,167,165	1,862,619	498,219	15,282,164	17,643,002
Nov., 1866.	1 43	10,718,911	16,091,983	7,545,391	23,637,374	4,596,782	657,292	14,158,000	19,612,074
Dec., 1866.	1 38	11,612,161	11,516,298	5,408,366	16,925,164	3,381,895	609,972	20,997,768	24,989,635
Total....		\$72,443,812	\$125,522,033	\$65,894,148	\$191,416,181	\$22,227,109	\$4,294,490	\$93,614,888	\$120,136,487

From these returns it appears, that while the month of September is the largest importing month, that of December is the largest exporting month of the half year. It also appears that the value of goods thrown on the market during the half year did not differ materially from the value of the total imports for the same period. This is not always the case, the two amounts differing very materially at times. During the period embraced in the above returns they compare as follows :

Imports entered for warehousing, value.....	\$72,443,812
Imports entered for consumption, value.....	125,522,033
Total imports, value.....	<u>\$197,965,845</u>
Imports entered for consumption, value.....	\$125,522,033
Imports withdrawn from warehouse, value.....	65,894,148
Total thrown on the market, value.....	<u>\$191,416,181</u>
Difference.....	\$6,549,664

During the fiscal year ending June 30, 1866, the declared value of the total imports was \$437,640,354, and the amount of customs duties received \$179,046,651. The customs duties were thus forty-one per cent. of the total imports. During the half year ending December 31, 1866, the declared value of the total imports was \$197,965,845, and the amount of customs duties received about \$87,500,000. The customs duties were thus forty-four per cent. of the total imports. These latter amounts will need some alterations, since several of the ports have yet to be heard from, both as regards

their returns of commerce and of imposts. Without making any allowance for these imperfections (the extent of which can be estimated by allowing for the respective ports which have failed to send their returns of commerce in time, and by adding about \$1,000,000 to the sum of imposts), the result indicates an increase in the percentage of the customs revenue to the total gross imports. During the half year ending December 31, 1865, the imports were \$211,805,738. For the corresponding half year just ended, they were \$197,965,-845. Allowing for the returns not yet received, the amount is about the same. With the same amount of imports, then, and an increased percentage of customs receipts, the total amount of customs duties for the year ending June 30, 1867, it is anticipated, will prove to be rather over than under the official estimate for the year, which was \$160,843,774.

If there were any means of contrasting the monthly returns furnished herein with similar ones for like periods during past years, they would present an interesting indication of the course of our foreign trade ; but, unfortunately, there are none. The monthly summary returns of the previous years have not always been duly received at the Department. Few, if any of them, are complete ; and the great variance of their results with those of the quarter-yearly summaries, which do not distinguish between goods entered for consumption and those entered for warehousing, forbid them from being used as standards of comparison. The total



entries of imports and exports for past years, without reference to what portion of the former found their way into market, however, are available, and these, reduced to specie values, at the average yearly price of gold in lawful money for each year respectively, exhibit the following results :

FISCAL YEARS.	Total exports— specie value.	Total imports— specie value.
1860.....	\$373,189,274	\$326,683,097
1861.....	228,699,486	305,004,732
1862.....	192,127,454	189,425,112
1863.....	230,056,621	228,652,597
1864.....	209,708,167	309,874,330
1865.....	213,915,392	207,426,298
1866.....	415,965,459	423,975,036
6 months of 1867	120,136,487	197,965,845

Yet it must not be forgotten that, as stated in the annual report of the Director, the import and export summaries of several of the past years are somewhat unreliable.

Hitherto the commercial statistics of the country have been collected and arranged, or digested, very slowly. The Secretary of the Treasury now reports thus : “The Statistical Bureau, authorized by the act entitled ‘An act to protect the revenue, and for other purposes,’ approved July 28, 1866, was organized on the 5th day of September last, by the appointment of Mr. Alexander Delmar as Director. It is expected that, under his direction, this Bureau will be of great benefit to this Department and to the country. After putting in proper condition the numerous books relating to commerce and navigation, which have been transferred to this Bureau, the Director will prepare reliable statistics of the resources of the country, and the extent to which they are being developed. Monthly reports of imports and exports, taxes, imposts, wages, products, and markets will also be regularly prepared, and every means employed to ascertain the progress of population and industry.”

The value of the produce received at New Orleans for a series of years ending August 31, is shown in the subsequent figures, while the amounts of the articles appear in the succeeding table. These results are chiefly interesting as showing the receipts before the war and at its close, although for the last two years of the war the river navigation had been comparatively uninterrupted. The receipts of 1864-'5 are those for the last year of the war, and those for 1859-'60 for the year preceding it.

1859-'60.....	\$185,211,254
1860-'61.....	155,863,564
1861-'62.....	51,510,990
1862-'63.....	29,766,454
1863-'64.....	79,223,985
1864-'65.....	
1865-'66.....	201,722,179

The receipts from the interior at New Orleans for the year ending August 31, 1866, as compared with previous years, are shown in the following table :

ARTICLES.	1865-'66.	1864-'65.	1859-'60.
Apples.....bbls.	69,532	35,902	67,416
Bacon.....asst. cks., etc.	16,243	13,582	45,015
Bacon.....bbls. and bxs.	2,299	4,942	5,987
Bacon Hams.....hhds.	14,307	10,545	37,814
Bacon in bulk.....lbs.	17,740		39,000
Bagging.....pieces.	3,842	6,371	21,427
Bale rope.....coils.	43,940	17,876	125,429
Beans.....bbls.	6,312	12,381	8,389
Butter.....kegs.	16,909	21,880	38,345
Butter.....bbls.	610	179	1,506
Bran.....sacks.	191,474	113,314	274,277
Beef.....bbls. and tes.	8,403	26,541	44,934
Beef, dried.....lbs.	4,300	6,300	93,726
Cotton.....bales.	787,386	271,015	2,255,448
Corn in ears.....bbls.	27,289	4,170	36,092
Corn, shelled.....sacks.	2,003,176	553,273	1,722,039
Cotton seed.....sacks.	94,172	18,199	
Cheese.....boxes.	55,273	26,781	95,305
Candles.....boxes.	64,210	31,717	110,405
Coal, Western.....bbls.	1,295,915	994,770	2,900,000
Dried apples, etc.....bbls.	148	1,214	70
Flaxseed.....tierces.	10	425	1,121
Flour.....bbls.	993,331	790,824	974,340
Feathers.....bags.	141	5	936
Glassware.....boxes.	5,240	2,851	68,879
Hemp.....bales.	856	8,171	4,883
Hides.....	76,490	9,951	163,563
Hay.....bales.	129,131	226,764	152,659
Iron, pig.....tons.	1,963		643
Leather.....bundles.	7,328	3,573	6,115
Lard.....tierces and bbls.	21,272	11,245	65,784
Lard.....kegs.	27,012	7,303	90,699
Lime, Western.....bbls.	63,926	14,029	33,143
Lead.....pigs.	370	5	80,964
Lead, bar.....kegs.	186		1,658
Molasses.....bbls.	27,403	18,725	313,840
Oats.....bbls. and sacks.	621,432	278,938	659,550
Onions.....bbls.	38,513	17,552	26,401
Oil, lard.....bbls.	1,289	2,507	9,333
Potatoes.....bbls.	255,713	144,223	207,698
Pork.....tierces and bbls.	75,847	41,795	216,523
Pork.....hhds.	716		1,874
Pork in bulk.....lbs.	271,140	230,800	3,803,500
Porter and Ale.....bbls.	19,881	11,604	20,949
Packing yarn.....reels.	665	789	3,748
Skins, Deer.....packs.	98	117	1,542
Shot.....kegs.	2,386	17	4,001
Sugar.....hhds.	17,895	9,978	195,135
Sugar.....bbls.	919	2,045	4,808
Soap.....boxes.	5,121	36,287	12,202
Shingles.....M.	1,588	1,064	7,000
Staves.....M.	2,510	1,907	10,178
Tallow.....bbls.	412	332	1,025
Tobacco, leaf.....hhds.	15,412	2,410	80,955
Tobacco, chewing.....boxes.	38,411	13,939	14,544
Tobacco.....bales.	90	79	274
Twine.....bundles.	1,541	2,151	3,508
Whiskey.....bbls.	58,916	21,243	185,042
Wheat.....sacks.	636	2,024	13,116

CONGREGATIONALISTS. The *Congregational Quarterly* for January, 1867, publishes full statistics of Congregationalism in the United States. The whole number of Congregational Churches, as reported in 1866, was 2,780 ; in 1865, 2,723—a gain of 57. In Canada and the provinces there were 120 churches in 1866, against 117 the year before, making a total on this Continent of 2,900 churches, against 2,840 the previous year, a gain of 60. Of these churches 243 were in Maine, 183 in New Hampshire, 191 in Vermont, 493 in Massachusetts, 23 in Rhode Island, 286 in Connecticut, 225 in New York, 166 in Ohio, 24 in Indiana, 222 in Illinois, 150 in Michigan, 158 in Wisconsin, 166 in Iowa, 60 in Pennsylvania, 96 in Canada, and the rest were scattered in smaller numbers through various States, Territories, and British Provinces. Missouri had 29 of these, against 18 last year. The total number of Congregational



ministers in the United States was 2,919, against 2,761 in 1865. In Canada and the provinces there were 90, and 86 in 1865, so that the whole number was 3,009 in 1866, and 2,888 in 1865. Of these only 862 were reported as settled pastors, while 912 were returned as acting pastors or stated supplies, and 236 were so returned that it could not be told whether they were pastors or stated supplies. Of the rest 879 were reported as not engaged in the pastoral work. Very many of these were professors in colleges and theological schools, or teachers in academies and private schools. There was also a large force connected with the several benevolent societies and general Christian enterprises in various parts of the land. The total membership of the churches within the bounds of the United States was 267,453 against 263,296 in 1865, a gain of 4,157. Adding the membership in Canada and the provinces, it stood 272,975 in 1866, and 269,062 in 1865. From seventeen States reports of benevolent contributions were received, while thirteen States and Territories made no report. The whole sum returned was \$1,024,720.87. Of this sum Massachusetts gave \$392,244.09; Connecticut, \$257,164.60; New York, \$93,130; Maine, \$49,409; New Hampshire, \$44,905; Ohio, \$41,396; Vermont, \$38,583.62, and from other States smaller sums varying from \$25,000 downward. If the whole sum given in charity in all the States and Territories were reported, it would not probably fall far short of \$1,500,000.

The American Home Missionary Society sustains a number of missionaries in the Southern States, where Congregationalism before the war was almost entirely unrepresented. From the report made by the agent of the Society, the Rev. J. E. Roy, on the Southern Missions of the Society in 1866, we glean the following facts:

The church organized in Memphis one year and a half ago by your missionary, Rev. E. T. Bliss, I found in a prosperous condition. It had already assumed the pastor's salary of \$2,000; it had a membership of forty-four, a growing congregation, and a flourishing Sabbath-school. Having promise of aid from the Congregational Union, it was raising the generous sum of \$8,000 for a house of worship, which is now in process of erection.

The church at Washington, under Rev. Dr. C. B. Boynton, Chaplain of the House, with its one hundred and twenty members—several of whom have recently been added on profession of faith—I found in a hopeful condition.

At Knoxville I found Rev. T. D. P. Stone, who has been commissioned to labor for a season at that place. At Chattanooga, a place of classic interest, with its Lookout Mountain, its Chickamauga, its Missionary Ridge, its National Cemetery, I found the field open and ready for a missionary.

At Helena, Ark., where the old churches had all become disintegrated, I found a few Congregational friends from the North desiring a minister.

At New Orleans I assisted in organizing a corporate religious society of twenty-seven male members, which elected as its president Mr. S. D. Moody, a young merchant from Boston, who seals his earnestness in the work by a subscription of five hundred dollars. Five of these members are old and influential loyal citizens. The remainder are persons from the North, settled in business. I am glad to learn

that the Congregational Union has purchased for this society the Second Presbyterian Church, which is in a fine, central, and easily accessible location.

At Savannah I took the initiative for organizing a religious society and securing a minister. Thirty business men attached their names to a paper, pledging themselves to become members of such a society, and to contribute, through it, for the support of the gospel; while twenty other persons gave assurance of sympathy and coöperation. Of the thirty gentlemen referred to, two-thirds are ex-officers of the army, settled there in business, while nearly the same proportion of the other adherents are men who have borne the same honor.

At Newbern, N. C., I found the enterprise which had been initiated by the Rev. Horace James in a flourishing condition. A corporate religious society of forty members had been organized. Rev. A. A. Ellsworth had assumed the ministerial care of the society, and was proving himself admirably adapted to the situation. The society had assumed the entire salary, only the expense of his removal having been taken from your treasury.

Richmond, with its forty thousand inhabitants, its superb water-power, its inland navigation, and its oceanic commerce, is destined to become a city of much importance. I was permitted to prepare the way there for a religious society. Twenty-five gentlemen signed a paper approving such a movement, and pledging to it the support of their personal influence and substance.

The English *Congregational Year-Book* for 1867 contains the statistics of Congregationalism in England as far as they could be ascertained up to December, 1866. The following are the most important points as presented by the *Year-Book*:

*County Associations and Unions.*—England, 43; Wales, 16; Scotland, 8; Ireland, 1; Colonies, 8. Total 76.

*Congregational Churches.*—England, 1,923; Wales, 788; Scotland, 105; Ireland 27; Channel Islands, 13; Colonies, 278. Total, 3,134. Out-stations of the Congregational churches, 1,065. Mission churches in foreign lands, 249. The number of out-stations and preaching places connected with these mission churches is not known. Stations of the Home Missionary Society, 119; Evangelistic stations of the Home Missionary Society, 60; rooms, cottages, farm-houses, in which the agents preach, 340; lay preachers in home missionary stations, 233; lay preachers in Welsh churches, 293; Evangelistic agents in Home Missionary Society, 59; native teachers in foreign missions, 700.

*Vacant Churches.*—England, 192; Wales, 87; Scotland, 9; Ireland, 7. Total, 295.

*Theological Colleges.*—England, 8; Wales, 3; Scotland, 1; Colonies, 4. Total, 16. Preparatory or missionary institutions, 5, viz.: Cotton End, Nottingham, Bristol, Bedford, Highgate. Private seminaries for theological preparation, 4. Total number of students in theological colleges: England, 196; Wales, 90; Scotland, 6. Total, 293.

Students in preparatory institutions: Cotton End, 6; Bedford, 11; Nottingham, 53; Bristol, 18; Highgate, 10. Total, 98.

Ministers in England, 1,826; Wales, 407; Scotland, 105; Ireland, 25; in the Colonies, 217; foreign lands, 202. Total, 2,782.



CONGRESS, UNITED STATES. The first session of the Thirty-ninth Congress \* assembled at Washington on December 4, 1865. (For the President's Message, see PUBLIC DOCUMENTS, ANNUAL CYCLOPEDIA, 1865.)

The Senate was called to order by the President *pro tem.*, Mr. Foster, of Connecticut, Mr.

Wright, of New Jersey, presented the credentials of John P. Stockton, of New Jersey, elected by the Legislature to serve for six years from March 4, 1865.

Mr. Cowan, of Pennsylvania, said: "Before the oaths are administered, I beg leave to present the protest of several members of the

\* The following is a list of the members of Congress:

#### SENATE.

*California*—James A. McDougall, John Conness.  
*Connecticut*—Lafayette S. Foster, James Dixon.  
*Delaware*—George Read Riddle, Willard Saulsbury.  
*Illinois*—Lyman Trumbull, Richard Yates.  
*Indiana*—Henry S. Lane, Thomas A. Hendricks.  
*Iowa*—James W. Grimes, Samuel J. Kirkwood.  
*Kansas*—Samuel C. Pomeroy, James H. Lane.  
*Kentucky*—Garret Davis, James Guthrie.  
*Maine*—Lot M. Morrill, William Pitt Fessenden.  
*Massachusetts*—Charles Sumner, Henry Wilson.  
*Maryland*—John A. J. Creswell, Reverdy Johnson.  
*Michigan*—Zachariah Chandler, Jacob M. Howard.  
*Minnesota*—Alexander Ramsey, Daniel S. Norton.  
*Missouri*—B. Gratz Brown, John B. Henderson.  
*Nevada*—William M. Stewart, James W. Nye.  
*New Hampshire*—Daniel Clark, Aaron H. Cragin.  
*New Jersey*—William Wright, John P. Stockton.\*  
*New York*—Ira Harris, Edwin D. Morgan.  
*Ohio*—John Sherman, Benjamin F. Wade.  
*Oregon*—James W. Nesmith, George H. Williams.  
*Pennsylvania*—Edgar Cowan, Charles R. Buckalew.  
*Rhode Island*—William Sprague, Henry B. Anthony.  
† *Tennessee*—David D. Patterson, J. S. Fowler.  
‡ *Vermont*—Luke P. Poland, Solomon Foot.  
§ *West Virginia*—Peter G. Van Winkle, Waitman T. Willey.  
*Wisconsin*—Timothy O. Howe, James R. Doolittle.

#### Not admitted at this session.

*Alabama*—George S. Houston, Lewis E. Parsons.  
*Arkansas*—E. Baxter, William D. Snow.  
*Louisiana*—R. King Cutler, Michael Hahn.  
*Mississippi*—William L. Sharkey, J. L. Alcorn.  
*North Carolina*—John Pool, William A. Graham.  
*South Carolina*—John L. Manning, Benjamin F. Perry.  
*Virginia*—John C. Underwood, Joseph Segar.

#### HOUSE.

*California*—Donald C. McRuer, William Higby, John Bidwell.  
*Connecticut*—Henry C. Deming, Samuel L. Warner, Augustus Brandagee, John H. Hubbard.  
*Delaware*—John A. Nicholson.  
*Illinois*—John Wentworth, John F. Farnsworth, Elihu B. Washburne, Abner C. Harding, Ebon C. Ingersoll, Burton C. Cook, H. P. H. Bromwell, Shelby M. Cullom, Lewis W. Ross, Anthony Thornton, Samuel S. Marshall, Jehu Baker, Andrew J. Kuykendall; at large, S. W. Moulton.  
*Indiana*—William E. Niblack, Michael C. Kerr, Ralph Hill, John H. Farquhar, George W. Julian, Ebenezer Dumont, Daniel W. Voorhees, § Godlove S. Orth, Schuyler Colfax, Joseph H. Defrees, Thomas N. Stillwell.  
*Iowa*—James F. Wilson, Hiram Price, William B. Allison, Josiah B. Grinnell, John A. Kasson, Asahel W. Hubbard.  
*Kansas*—Sidney Clarke.  
*Kentucky*—L. S. Trimble, Burwell C. Ritter, Henry Grider, Aaron Harding, Lovell H. Rousseau, Green Clay Smith, George S. Shanklin, William H. Randall, Samuel McKee.  
*Maine*—John Lynch, Sidney Perham, James G. Blaine, John H. Rice, Frederick A. Pike.  
*Maryland*—Hiram McCullough, John L. Thomas, Jr., Charles E. Phelps, Francis Thomas, Benjamin G. Harris.  
*Massachusetts*—Thomas D. Eliot, Oakes Ames, Alexander H. Rice, Samuel Hooper, John B. Alley, Nathaniel P. Banks, George S. Boutwell, John D. Baldwin, William B. Washburn, Henry L. Dawes.  
*Michigan*—Fernando C. Beaman, Charles Upson, John W. Longyear, Thomas W. Ferry, Rowland E. Trowbridge, John F. Driggs.  
*Minnesota*—William Windom, Ignatius Donnelly.  
*Missouri*—John Hogan, Henry T. Blow, Thomas E.

Noell, John R. Kelso, Joseph W. McClurg, Robert T. Van Horn, Benjamin F. Loan, John F. Benjamin, George W. Anderson.

*Nevada*—Delos R. Ashley.

*New Hampshire*—Gilman Marston, Edward H. Rollins, James W. Patterson.

*New Jersey*—John F. Starr, William A. Newell, Charles Sitgreaves, Andrew J. Rogers, Edwin R. V. Wright.

*New York*—Stephen Tabor, Tunis G. Bergen, James Humphrey, Morgan Jones, Nelson Taylor, Henry J. Raymond, John W. Chanler, James Brooks,\* William A. Darling, William Radford, Charles H. Winfield, John H. Ketcham, Edwin N. Hubbell, Charles Goodyear, John A. Griswold, Robert S. Hale, Calvin T. Hulburd, James M. Marvin, Demas Hubbard, Jr., Addison H. Lavin, Roscoe Conkling, Sidney T. Holmes, Thomas T. Davis, Theodore M. Pomeroy, Daniel Morris, Giles W. Hotchkiss, Hamilton Ward, Roswell Hart, Burt Van Horn, James M. Humphrey, Henry Van Aernam.

*Ohio*—Benjamin Eggleston, Rutherford B. Hays, Robert C. Schenck, William Lawrence, F. C. Le Blond, Reader W. Clark, Samuel Shellabarger, James R. Hubbell, Ralph P. Buckland, James M. Ashley, Hezekiah S. Bundy, William E. Finck, Columbus Delano, Martin Welker, Tobias E. Plants, John A. Bingham, Ephraim R. Eckley, Rufus P. Spalding, James A. Garfield.

*Oregon*—John H. D. Henderson.

*Pennsylvania*—Samuel J. Randall, Charles O'Neill, Leonard Myers, William D. Kelley, M. Russell Thayer, B. Markley Boyer, John M. Broomall, Sydenham E. Ancona, Thaddeus Stevens, Myer Strouse, Philip Johnson, Charles Denison, Ulysses Mercur, George F. Miller, Adam J. Glossbrenner, William H. Koontz, Abraham A. Barker, Stephen F. Wilson, Glenni W. Schofield, Charles Vernon Culver, John L. Dawson, James K. Moorhead, Thomas Williams, George V. Lawrence.

*Rhode Island*—Thomas A. Jenckes, Nathan F. Dixon.

† *Tennessee*—Nathaniel G. Taylor, Horace Maynard, William B. Stokes, Edmund Cooper, William B. Campbell, S. M. Arnell, Isaac R. Hawkins, John W. Leftwich.

*Vermont*—Frederick E. Woodbridge, Justin S. Morrill, Portus Baxter.

*West Virginia*—Chester D. Hubbard, George R. Latham, Killian V. Whaley.

*Wisconsin*—Halbert E. Paine, Ithamar C. Sloan, Amasa Cobb, Charles A. Eldridge, Philetus Sawyer, Walter D. McIndoe.

#### Not admitted at this session.

*Alabama*—C. C. Langdon, George C. Freeman, Cullen A. Battle, Joseph W. Taylor, B. T. Pope, T. J. Jackson.

*Arkansas*—Byers, Lorenzo Gibson, J. M. Johnson.

*Florida*—F. McLeod.

*Georgia*—Solomon Cohen, Philip Cook, Hugh Buchanan, E. G. Cabaniss, J. D. Matthews, J. H. Christy, W. T. Wofford.

*Louisiana*—Louis St. Martin, Jacob Barker, Robert C. Wickliffe, John E. King, John S. Young.

*Mississippi*—A. E. Reynolds, B. A. Pinson, James T. Harrison, A. M. West, E. G. Peyton.

*North Carolina*—Jesse R. Stubbs, Charles C. Clark, Thomas C. Fuller, Josiah Turner, Jr., Bedford Brown, S. H. Walkup, A. H. Jones.

*South Carolina*—John D. Kennedy, William Aiken, Samuel McGowan, James Farrow.

*Virginia*—W. H. B. Custis, Lucius H. Chandler, B. Johnson Barbour, Robert Ridgway, Beverly A. Davis, Alexander H. H. Stuart, Robert Y. Conrad, Daniel H. Hoge.

#### Delegates from the Territories.

*Arizona*—John N. Goodwin.

*Colorado*—Allen A. Bradford.

*Dakota*—Walter A. Burleigh.

*Idaho*—E. D. Holbrook.

*Montana*—Samuel McLean.

*Nebraska*—Phineas W. Hitchcock.

*New Mexico*—J. Francesco Chavez.

*Utah*—William H. Hooper.

*Washington*—Arthur A. Denny.

\* Seat declared vacant.

† Admitted near the close of the session.

‡ Deceased March 28, and succeeded by George F. Edmunds.

§ Seat given to Henry D. Washburn.

\* Seat given to William E. Dodge.

† Admitted near the close of the session.



Legislature of New Jersey, protesting against the right of Mr. Stockton to take his seat here as a Senator. I do not desire to raise the question as to whether he may not be sworn, because I believe his credentials are *prima facie* sufficient for that purpose; but I desire that these papers may be laid before the Senate and referred to the Committee on the Judiciary when that committee shall be organized, in order that the prayer of the memorialists may be heard, and such order taken upon it as the Senate in their wisdom may decree."

The protest was received and laid upon the table, for future reference to the Committee on the Judiciary, and the oath was administered to Mr. Stockton.

Mr. Sumner, of Massachusetts, submitted the following concurrent resolution declaratory of the adoption of the constitutional amendment abolishing slavery, which was laid on the table and ordered to be printed:

*Whereas*, the Congress, by a vote of two-thirds of both Houses, did heretofore propose to the Legislatures of the several States, for ratification, an amendment to the Constitution in the following words, to wit:

"ARTICLE XIII. Sec. 1. Neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.

"Sec. 2. Congress shall have power to enforce this article by appropriate legislation."

*And whereas*, at the time when such amendment was submitted as well as since, there were sundry States which, by reason of rebellion, were without Legislatures, so that, while the submission was made in due constitutional form, it was not, as it could not be, made to all the States, but to "the Legislatures of the several States," in obedience both to the letter and spirit of the provision of the Constitution authorizing amendments, there being a less number of Legislatures of States than there were States; and whereas, since the Constitution expressly authorizes amendments to be made, any construction thereof which would render the making of amendments at times impossible, must violate both its letter and its spirit; and whereas, to require the ratification to be by States without Legislatures as well as by "the Legislatures of the States," in order to be pronounced valid, would put it in the power of a long-continued rebellion to suspend, not only the peace of the nation, but its Constitution also; and whereas, from the terms of the Constitution, and the nature of the case, it belongs to the two Houses of Congress to determine when such ratification is complete; and whereas more than three-fourths of the Legislatures to which the proposition was made have ratified such amendment: Now, therefore,

*Be it resolved by the Senate* (the House of Representatives concurring), That the amendment abolishing slavery has become, and is, a part of the Constitution of the United States.

*Resolved*, That notwithstanding the foregoing resolution, and considering the great public interest which attaches to this question, the Legislatures which have not ratified the amendment, be permitted to express their concurrence therein by the usual form of ratification, to be returned in the usual manner.

*Resolved*, That no one of the States, to the Legislature of which such amendment could not be submitted, by reason of its being in rebellion against the United States, and having no Legislature, be permitted to resume its relations, and have its Legislature

acknowledged, and its Senators and Representatives admitted, until its Legislature shall have first ratified such amendment in recognition of the accomplished fact.

Mr. Sumner also submitted the following resolutions, which were laid over:

Resolutions declaratory of the duty of Congress in respect to guaranties of the national security and the national faith in the rebel States.

*Resolved*, That, in order to provide proper guaranties for security in the future, so that peace and prosperity shall surely prevail, and the plighted faith of the nation shall be preserved, it is the first duty of Congress to take care that no State declared to be in rebellion shall be allowed to resume its relations to the Union until after the satisfactory performance of five several conditions, which conditions precedent must be submitted to a popular vote, and be sanctioned by a majority of the people of each State respectively, as follows:

1. The complete reestablishment of loyalty, as shown by an honest recognition of the unity of the Republic, and the duty of allegiance to it at all times, without mental reservation or equivocation of any kind.

2. The complete suppression of all oligarchical pretensions, and the complete enfranchisement of all citizens, so that there shall be no denial of rights on account of color or race; but justice shall be impartial, and all shall be equal before the law.

3. The rejection of the rebel debt, and at the same time the adoption, in just proportion, of the national debt and the national obligations to Union soldiers, with solemn pledges never to join in any measure, direct or indirect, for their repudiation, or in any way tending to impair the national credit.

4. The organization of an educational system for the equal benefit of all without distinction of color or race.

5. The choice of citizens for office, whether State or national, of constant and undoubted loyalty, whose conduct and conversation shall give assurance of peace and reconciliation.

*Resolved*, That in order to provide these essential safeguards, without which the national security and the national faith will be imperilled, States cannot be precipitated back to political power and independence; but they must wait until these conditions are in all respects fulfilled.

Mr. Sumner also submitted the following resolutions, on the duty of Congress to the Southern States, which were ordered to be printed:

Resolutions declaratory of the duty of Congress, especially in respect to loyal citizens in rebel States.

*Whereas*, it is provided by the Constitution that "the United States shall guarantee to every State in this Union a republican form of government;" and whereas there are certain States where, by reason of rebellion, there are no State governments recognized by Congress; and whereas, because of the failure of such States respectively to maintain State governments, it has become the duty of Congress, standing in the place of guarantor, where the principal has made a lapse, to provide governments, republican in form, for such States respectively: Now, therefore, in order to declare the duty of Congress—

1. *Resolved*, That whenever a convention is called in any of such States for the organization of a government, the following persons have a right to be represented therein, namely, the citizens of the State who have taken no part in the rebellion; especially all those whose exclusion from the ballot enabled the rest to carry the State into the rebellion, and still more especially those who became soldiers in the armies of the Union, and by their valor on the battlefield turned the tide of war and made the Union triumphant; and Congress must refuse to sanction the



proceedings of any convention composed of delegates chosen by men recently in arms against the Union, and excluding men who perilled their lives in its defence; unless its proceedings have been first approved by those hereby declared to be entitled to participate therein.

2. *Resolved*, That the Constitution of the United States being supreme over State laws and State constitutions in respect of these matters upon which it speaks, and the duty being now imposed by it on Congress to legislate for the establishment of government in such States respectively, it is hereby declared that no supposed State law or State constitution can be set up as an impediment to the national power in the discharge of this duty.

3. *Resolved*, That since, also, it has become the duty of Congress to determine what is a republican form of government, it is hereby declared that no government of a State recently in rebellion can be accepted as republican, where large masses of citizens who have been always loyal to the United States are excluded from the elective franchise, and especially where the wounded soldier of the Union, with all his kindred and race, and also the kindred of others whose bones whiten the battle-fields where they died for their country, are thrust away from the polls to give place to the very men by whose hands wounds and death were inflicted; more particularly where, as in some of those States, the result would be to disfranchise the majority of the citizens who were always loyal, and give to the oligarchical minority recently engaged in carrying on the rebellion the power to oppress the loyal majority, even to the extent of driving them from their homes and depriving them of all opportunity of livelihood.

4. *Resolved*, That in all those cases where, by reason of rebellion, there is a lapse in the State government, and it becomes the duty of Congress to provide a government for the State, no government can be accepted as "a republican form of government" where a large proportion of native-born citizens, charged with no crime and no failure of duty, is left wholly unrepresented, although compelled to pay taxes; and especially where a particular race is singled out and denied all representation, although compelled to pay taxes; more especially where such race constitutes the majority of the citizens, and where the enfranchised minority has forfeited its rights by rebellion; and more especially still where, by such exclusion, the oligarchical enemies of the Republic can practically compel it to break faith with national soldiers and national creditors to whose generosity it was indebted during a period of peril.

In the House, on the 4th, the members were called to order by the Clerk, Edward McPherson. During the call of the roll, Mr. Maynard, of Tennessee, arose to speak, when the Clerk declined to have any interruption of the call.

Mr. Morrill, of Vermont, moved that the House proceed to the election of Speaker.

Mr. Brooks, of New York, in opposition to the motion, said: "Mr. Clerk, I hope that motion will not prevail until it be settled who are members of this House—whether the honorable gentleman from Tennessee (Mr. Maynard), holding in his hand, I presume, the certificate of the Governor of that State, is entitled to be heard on his credentials or not. I trust that we shall not proceed to any revolutionary step like that without at least hearing from the honorable gentleman from Tennessee. For if Tennessee is not in the Union, and has not been in the Union, and is not a loyal State, and the

people of Tennessee are aliens and foreigners to this Union, by what right does the President of the United States usurp his place in the White House and in the capital of the country, when an alien, as he must be, a foreigner, and not from a State in the Union?"

"I trust there will not be such rapidity of motion as that proposed. I trust that the honorable gentleman from Tennessee will be permitted to be heard. For, if a precedent can be established by the Clerk, and he can make a rule to exclude members from the floor of this House by his mere arbitrary will, this then ceases to be a Congress, and the Clerk of the House, but a servant of the House, is omnipotent over its organization. Is not the State of Tennessee in the Union?"

"And then there is a State of Virginia which the Clerk has not read; I mean the old State of Virginia, and not Western Virginia—the State over which Governor Pierpoint presides, over which he has presided, and to which position he was elected during the war, whose loyalty no man doubts, and who is as much the Governor of that State as the Governor of Pennsylvania is Governor of the State of Pennsylvania. By what right has the Virginia delegation been excluded by the Clerk of the House? I wish the Clerk would tell me. He has given no reason for such exclusion, and I should be happy to yield the floor for a moment to enable him to state why both Tennessee and Virginia have been excluded from the list he has made."

The Clerk: "With the consent of the gentleman I will state that if it be the desire of the House to have my reasons, I will give them; but I have not felt justified or called upon to give any reasons; I have acted in accordance with my views of duty, and I am willing to let the record stand."

Mr. Stevens, of Pennsylvania, said: "It is not necessary. We know all."

Mr. Brooks continued: "I know that it is known to all in one quarter, but that it is not known to many in other quarters in this House, why this exclusion has been made. The State of Louisiana was here upon the floor of the House last year, by the admission of gentlemen from that State. The record is in the Congressional Globe; and now Louisiana is excluded. A Republican House, a Republican majority, permitted two members from Louisiana upon the floor of this House to vote for its Speaker; and now the Clerk of the House assumes the responsibility of excluding the State of Louisiana. Why this subversion of all precedents, as well as this overthrow of all law?"

Mr. Washburne, of Illinois, said: "The gentleman from New York will understand that the Clerk of the last House of Representatives put the names of those two gentlemen from Louisiana upon the roll, and they did, in fact, vote for Speaker; but afterward the House refused to permit them to be sworn in as members."



Mr. Brooks further said: "But they voted for Speaker of the House, and were permitted here, as the record shows, to vote for Speaker, though the point was first made by the gentleman from Pennsylvania (Mr. Stevens), and then withdrawn."

"I do not choose longer to occupy the attention of the House, but before I sit down I propose to move, as an amendment, that the honorable gentleman from Tennessee (Mr. Maynard) be allowed to present the credentials of the members from Tennessee, and that their names be put upon the roll."

Mr. Stevens, of Pennsylvania, said: "I make the point of order that that amendment is not in order, not being germane to the original motion."

The Clerk: "The Clerk considers that a good point of order, and rules out the amendment."

Mr. Stevens: "I now call the previous question."

The demand for the previous question was then seconded, and the main question ordered and agreed to.

The House then proceeded to vote *viva voce* for Speaker, with the following result: Whole number of votes cast, 175; necessary to a choice, 88; of which Mr. Colfax received 139; Mr. Brooks, 36.

The Clerk announced that Schuyler Colfax, one of the Representatives from the State of Indiana, having received a majority of all the votes given, was duly elected Speaker; whereupon Mr. Morrill and Mr. Brooks conducted Mr. Colfax to the chair, when he addressed the House as follows:

"Gentlemen of the House of Representatives: The reassembling of Congress, marking, as it does, the procession of our national history, is always regarded with interest by the people for whom it is to legislate. But it is not unsafe to say that millions more than ever before, North, South, East, and West, are looking to the Congress which opens its session to-day, with an earnestness and solicitude unequalled on similar occasions in the past. The Thirty-eighth Congress closed its constitutional existence with the storm-cloud of war still lowering over us; and, after a nine months' absence, Congress resumes its legislative authority in these council halls, rejoicing that from shore to shore in our land there is peace.

"Its duties are as obvious as the sun's pathway in the heavens. Representing, in its two branches, the States and the people, its first and highest obligation is to guarantee to every State a republican form of government. The rebellion having overthrown constitutional State governments in many States, it is yours to mature and enact legislation which, with the concurrence of the Executive, shall establish them anew on such a basis of enduring justice as will guarantee all necessary safeguards to the people, and afford, what our Magna Charta, the Declaration of Independence, proclaims is the chief

object of government—protection to all men in their inalienable rights. The world should witness, in this great work, the most inflexible fidelity, the most earnest devotion to the principles of liberty and humanity, the truest patriotism, and the wisest statesmanship.

"Heroic men, by hundreds of thousands, have died that the Republic might live. The emblems of mourning have darkened White House and cabin alike. But the fires of civil war have melted every fetter in the land, and proved the funeral-pyre of slavery. It is for you, Representatives, to do your work as faithfully and as well as did the fearless saviors of the Union on their more dangerous arena of duty. Then we may hope to see the vacant and once abandoned seats around us gradually filling up, until this hall shall contain Representatives from every State and district; their hearts devoted to the Union for which they are to legislate, jealous of its honor, proud of its glory, watchful of its rights, and hostile to its enemies. And the stars on our banner, that paled when the States they represented arrayed themselves in arms against the nation, will shine with a more brilliant light of loyalty than ever before.

"Invoking the guidance of Him who holds the destiny of nations in the hollow of His hand, I enter again upon the duties of this trying position, with a heart filled with gratitude to you for the unusually flattering manner in which it has been bestowed, and cheered by the hope that it betokens your cordial support and assistance in all its grave responsibilities. I am now ready to take the oath of office prescribed by law."

Mr. Washburne, of Illinois, having served longest as a member of the House, was designated by the Clerk to administer to the Speaker-elect the oath prescribed by law; which was done in the following form:

I, Schuyler Colfax, do solemnly swear that I have never voluntarily borne arms against the United States since I have been a citizen thereof; that I have voluntarily given no aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto; that I have neither sought nor accepted nor attempted to exercise the functions of any office whatever, under any authority or pretended authority in hostility to the United States; that I have not yielded a voluntary support to any pretended government, authority, power, or constitution within the United States, hostile or inimical thereto. And I do further swear that, to the best of my knowledge and ability, I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

Mr. Wilson, of Iowa, offered the following resolution:

*Resolved*, That the following-named persons are hereby declared to be officers of the House of Representatives for and during the Thirty-ninth Congress, and until their successors are duly qualified: Ed-



ward McPherson, of the State of Pennsylvania, Clerk; N. G. Ordway, of the State of New Hampshire, Sergeant-at-Arms; Ira Goodenow, of the State of New York, Doorkeeper; and Josiah Given, of the State of Ohio, Postmaster.

The question was taken; and it was decided in the affirmative—yeas 138, nays 35, not voting 9.

So the resolution was adopted.

Mr. Stevens, of Pennsylvania, offered the following resolution, and called the previous question:

*Resolved by the Senate and House of Representatives in Congress assembled,* That a joint committee of fifteen members shall be appointed, nine of whom shall be members of the House and six members of the Senate, who shall inquire into the condition of the States which formed the so-called Confederate States of America, and report whether they or any of them are entitled to be represented in either House of Congress, with leave to report at any time by bill or otherwise; and until such report shall have been made and finally acted upon by Congress, no member shall be received into either House from any of the said so-called Confederate States; and all papers relating to the representation of the said States shall be referred to the said committee without debate.

The previous question was seconded, and the main question ordered; which was upon agreeing to the concurrent resolution, and it was decided in the affirmative.

**YEAS**—Messrs. Alley, Allison, Ames, Anderson, Baker, Baldwin, Banks, Barker, Baxter, Beaman, Benjamin, Bidwell, Bingham, Blow, Boutwell, Brandegee, Bromwell, Broomall, Buckland, Bundy, Reader W. Clark, Sidney Clarke, Cobb, Conkling, Cook, Cullom, Culver, Darling, Davis, Dawes, De-frees, Delano, Deming, Dixon, Donnelly, Driggs, Dumont, Eckley, Eggleston, Eliot, Farnsworth, Ferry, Garfield, Grinnell, Griswold, Hale, Abner C. Harding, Hart, Hayes, Henderson, Higby, Hill, Holmes, Hooper, Hotchkiss, Asahel W. Hubbard, Chester D. Hubbard, Demas Hubbard, John H. Hubbard, James R. Hubbell, Hulburd, James Humphrey, Ingersoll, Jenckes, Julian, Kasson, Kelley, Kelso, Ketchum, Kuykendall, Laffin, Latham, George V. Lawrence, William Lawrence, Loan, Longyear, Lynch, Marston, Marvin, McClurg, McIndoe, McKee, McRuer, Mercur, Miller, Moorhead, Morrill, Morris, Moulton, Myers, Newell, O'Neill, Orth, Paine, Patterson, Perham, Phelps, Pike, Pomeroy, Price, William H. Randall, Raymond, Alexander H. Rice, John H. Rice, Rollins, Sawyer, Schenck, Schofield, Shellabarger, Smith, Spalding, Starr, Stevens, Stillwell, Thayer, John L. Thomas, Trowbridge, Upson, Van Aernam, Burt Van Horn, Robert T. Van Horn, Ward, Warner, Elihu B. Washburne, Welker, Wentworth, Whaley, Williams, James F. Wilson, Stephen F. Wilson, Windom, and Woodbridge—133.

**NAYS**—Messrs. Ancona, Bergen, Boyer, Brooks, Chanler, Dawson, Denison, Eldridge, Finck, Gloss-brenner, Goodyear, Grider, Aaron Harding, Hogan, James M. Humphrey, Johnson, Kerr, Le Blond, McCullough, Niblack, Nicholson, Noell, Radford, Samuel J. Randall, Ritter, Rogers, Ross, Shanklin, Sitgreaves, Strouse, Tabor, Taylor, Thornton, Trimble, Winfield, and Wright—36.

**NOT VOTING**—Messrs. Delos R. Ashley, James M. Ashley, Blaine, Farquhar, Harris, Edwin N. Hubbell, Jones, Marshall, Plants, Rousseau, Sloan, Francis Thomas, Voorhees, and William B. Washburn—13.

In the Senate, on December 5th, the concurrent resolution from the House on the condi-

tion of the Southern States was read, and, as objection was made to its further consideration, laid aside under the rules.

Mr. Cowan, of Pennsylvania, presented the credentials of William L. Sharkey and James Alcorn, elected Senators by the Legislature of Mississippi, which were ordered to lie on the table.

Mr. Foot, of Vermont, presented the following resolutions adopted by the Legislature of that State:

Joint resolutions in relation to the reconstruction of the States recently in rebellion against the United States.

*Resolved,* That it is the sense of the General Assembly of this State, that in the reconstruction of the governments of the States lately in rebellion against the Government and authority of the United States, the moral power and legal authority vested in the Federal Government should be executed, to secure equal rights, without respect to color, to all citizens residing in those States, including herein the right of elective franchise.

*Resolved,* That the Secretary of State is hereby instructed to transmit a copy of these resolutions to the President of the United States, to the Governors of the several States, and also a copy to each one of our Senators and Representatives in Congress, who are hereby requested to present the same to both Houses of Congress.

JOHN W. STEWART,

Speaker of the House of Representatives.

A. B. GARDNER,

President of the Senate.

In the House, on the 5th, Mr. Grinnell, of Iowa, moved to proceed to the election of Chaplain, which was agreed to.

Mr. Griswold, of New York, said: "I desire to present, for the position of Chaplain of this House, the name of Rev. C. B. Boynton, a gentleman whose qualifications and claims, were they known to this House, would, I am sure, meet with ready recognition. Mr. Boynton has recently removed to this city from Ohio. He is a Congregational clergyman, and a gentleman of splendid abilities. He is now engaged in writing a history of the American navy during the war just closed. He is in all respects a man eminently worthy to occupy the position of Chaplain of this House. With pen and voice, in the pulpit and out of the pulpit, he has, during the war, rendered the country signal and unremitting service. He has given three sons to the army, one of whom served with great distinction as colonel of an Ohio regiment. I desire to assure gentlemen of this House who may not be acquainted with Mr. Boynton that he will, if elected, make a most acceptable Chaplain. I take pleasure in presenting his name as a candidate."

Mr. O'Neill, of Pennsylvania, said: "I nominate Rev. Thomas H. Stockton, of Philadelphia. It is needless for me to say any thing in commendation of this gentleman. He was formerly the Chaplain of this House, and as such distinguished himself by his faithfulness, eloquence, and piety. He is well known throughout the country as one of its most eminent divines. He is one of the leading minis-



ters of the Methodist Protestant Church. I need not say that he is a thoroughly loyal gentleman. I hope that the House will elect him as its Chaplain."

Mr. Smith, of Kentucky, followed, saying: "I desire to place in nomination Rev. Charles B. Parsons, of Lexington, Kentucky. Following the course of gentlemen who have preceded me, I will say that Mr. Parsons is a true, devoted, loyal man, a gentleman and a Christian, and the most eloquent divine to whom I ever listened. He belongs to the Methodist Episcopal Church, in which he has rendered good service for the last twenty-five or thirty years, and during the last four years has signalized himself by his efforts on behalf of the Government of the United States.

"I hope that the House will have the liberality to give us at least one man south of Mason and Dixon's line, because north of that line there cannot be found a better, a truer, an abler, or a more eloquent man than Mr. Parsons. I may here remark that the most beautiful, most appropriate, most eloquent address delivered upon the death of President Lincoln was delivered by Mr. Parsons. If this House will but hear him preach, listen to his exhortations to do right, and follow them, the legislation of this body will redound to the interest and honor of the Republic."

Mr. Farnsworth, of Illinois, said: "I desire to nominate Rev. L. C. Matlock, of Illinois. He is a very worthy clergyman, a gentleman of most excellent character, and an eloquent speaker. He was at one time the president of a university in our State. After the breaking out of the rebellion he was chosen chaplain of a regiment, and served in that capacity for about one year, when, believing that he could serve the country, and serve, too, the soldiers with whom he was associated as well, if not better, in another capacity, he raised a company, which he took into another regiment, of which he was elected major, and commissioned as such by the Governor of Illinois. For the last two years he has been fighting the rebels, giving them hard blows in the field. He is both a praying and a fighting patriot. He has shown his loyalty where it cost a man something to be loyal—in the battle's front; and, as a soldier, he has in no instance been charged with sullyng the cloth of his ministerial profession. He has not thrown aside his dignity or his manhood, but comes out of the war, at its termination, pure as he went in. This loyal and eloquent minister of the gospel and soldier of the Republic I nominate for the position of Chaplain of this House."

Mr. Kelley, of Pennsylvania, said: "Mr. Speaker, I rise, with the indulgence of the House, for the purpose of seconding the nomination of Rev. Thomas H. Stockton, so eloquently presented by my colleague, Mr. O'Neill.

"Mr. Stockton will be remembered by many of the members of the present House as the Chaplain of the Thirty-seventh Congress; and

all such will remember him as one whose life, in its simplicity and purity, illustrated the religion he preached. He is a man as remarkable for his learning and eloquence as for his piety. It has been my privilege to know him for many years; and I may point, as an illustration of his power, to the prayer delivered by him at the consecration of the field at Gettysburg."

Mr. Moorhead, of Pennsylvania, said: "I rise for the purpose of nominating Rev. James Presley, of the United Presbyterian Church, for the office of Chaplain of the Thirty-ninth Congress. Mr. Presley preached in this hall last winter, and I have no doubt the old members heard him, for I know members of Congress generally attend church, and as generally attend at the Capitol. I have no doubt, then, that many of the gentlemen present well recollect the eloquent Dr. Presley who delivered an address in this hall. For loyalty, patriotism, and eloquence he is not exceeded by any man in the Union."

Mr. Stevens, of Pennsylvania, followed, saying: "I nominate Rev. James G. Butler, of the Lutheran Church. I learn he has done more good than any other man. And I will say for the Rev. Mr. Stockton, in addition to what others have already said, that he is the most eloquent man in the United States since the fall of Henry Ward Beecher."

Mr. Delano, of Ohio, said: "Mr. Speaker, let me add to the long list of nominations already before the House, by suggesting the name of Rev. J. H. C. Bonté, of Georgetown, District of Columbia, and, in pursuance of the custom in reference to these nominations, I will say that Mr. Bonté entered the service as chaplain of the Forty-second Ohio regiment, and faithfully discharged the duties of that position until his health failed. Since then he has been, in pursuance of his profession, in Iowa and at Georgetown, and I will say in one word, that if the House will come to know him as well as I do, they will find him a man of marked ability, of decided piety, and unwavering loyalty."

Mr. Price, of Iowa, said: "I nominate, as candidate for Chaplain of the House of Representatives, Rev. B. H. Nadal, of this city, and should have done so without saying a word, if the precedent had not been established of saying something as a reason why a nomination should be made and an election should take place.

"On the platform, in the pulpit, with his pen, before the commencement of the war and during its continuance, he has not failed or faltered to be the foremost on the right side, and in the right cause."

Mr. Miller, of Pennsylvania, said: "I desire, Mr. Speaker, to nominate Rev. John Walker Jackson, of Harrisburg, Pennsylvania, for Chaplain of this House. Mr. Jackson is an earnest divine of the Methodist persuasion, a loyal man, and patriot. During the four years of the war he did good service, both in and out of the pulpit, in behalf of his country. He worked in-



cessantly to encourage young men to enlist, in order to replenish our army and crush out the rebellion. He is just such a man as will reflect credit on the Thirty-ninth Congress by his election as Chaplain of this House."

Mr. Johnson, of Pennsylvania, said: "I have a nomination to make. If I were going to vote for a fighting man, I would nominate General Grant; but I do not intend to vote for a fighting man, and therefore I nominate Rev. John Chambers, of Philadelphia."

Whole number of votes cast was 168; necessary to a choice, 85; of which C. B. Boynton received 89; Thomas H. Stockton, 22; John Chambers, 15; B. H. Nadal, 14; J. G. Butler, 9; James Presley, 6; Charles B. Parsons, 5; J. H. C. Bonté, 3; L. C. Matlock, 2; John Walker Jackson, 2; Henry Slicer, 1.

Mr. Randall, of Pennsylvania, submitted the following resolution:

*Resolved* (as the sense of this House), That the public debt created during the late rebellion was contracted upon the faith and honor of the nation; that it is sacred and inviolate, and must and ought to be paid, principal and interest; and that any attempt to repudiate, or in any manner to impair or scale the said debt, should be universally discountenanced by the people, and promptly rejected by Congress if proposed.

The question was then taken upon agreeing to the resolution; and it was decided in the affirmative, as follows:

YEAS—Messrs. Alley, Allison, Ames, Ancona, Anderson, James M. Ashley, Baker, Baldwin, Banks, Barker, Baxter, Beaman, Benjamin, Berger, Bidwell, Bingham, Blaine, Blow, Boutwell, Boyer, Brundage, Bromwell, Broomall, Buckland, Bundy, Chanler, Reader W. Clark, Sidney Clarke, Cobb, Conkling, Cook, Cullom, Culver, Darling, Davis, Dawes, Dawson, Defrees, Delano, Deming, Denison, Dixon, Donnelly, Driggs, Dumont, Eckley, Eggleston, Eliot, Farnsworth, Farquhar, Ferry, Finck, Garfield, Glossbrenner, Goodyear, Grinnell, Griswold, Hale, Abner C. Harding, Hart, Hayes, Henderson, Higby, Hill, Hogan, Holmes, Hooper, Hotchkiss, Asahel W. Hubbard, Chester D. Hubbard, Demas Hubbard, John H. Hubbard, Edwin N. Hubbell, James R. Hubbell, Hulburd, James Humphrey, James M. Humphrey, Ingersoll, Jenckes, Johnson, Julian, Kasson, Kelley, Kelso, Kerr, Ketchum, Kuykendall, Laffin, Latham, George V. Lawrence, William Lawrence, Loan, Longyear, Marston, Marvin, McClurg, McCullough, McIndoe, McKee, McRuer, Mercur, Miller, Moorhead, Morrill, Morris, Moulton, Myers, Newell, Niblack, Nicholson, Noell, O'Neill, Orth, Paine, Patterson, Perham, Phelps, Pike, Plants, Pomeroy, Price, Radford, Samuel J. Randall, William H. Randall, Raymond, Alexander H. Rice, Rogers, Rollins, Ross, Sawyer, Schenck, Schofield, Shanklin, Shellabarger, Sitgreaves, Sloan, Smith, Spalding, Starr, Stevens, Stillwell, Strouse, Tabor, Thayer, Francis Thomas, John L. Thomas, Thornton, Trowbridge, Upson, Burt Van Horn, Ward, Warner, Elihu B. Washburne, William B. Washburn, Welker, Wentworth, Whaley, Williams, James F. Wilson, Windom, Winfield, and Wright—162.

NAY—Mr. Trimble—1.

NOR VOTING—Messrs. Delos R. Ashley, Brooks, Eldridge, Grider, Aaron Harding, Harris, Jones, Le Blond, Lynch, Marshall, John H. Rice, Ritter, Rousseau, Taylor, Van Aernam, Robert T. Van Horn, Voorhees, Stephen F. Wilson, and Woodbridge—19.

Mr. Stevens, of Pennsylvania, introduced the following joint resolution; which was read a first and second time, and ordered to be referred to the Committee on the Judiciary:

*Resolved by the Senate and House of Representatives of the United States in Congress assembled*, That the following amendment to the Constitution of the United States shall be proposed, and when ratified by the Legislatures of three-fourths of the States shall be valid to all intents and purposes as part of the Constitution of the United States:

Neither the United States nor any State in the Union shall ever assume or pay any part of the debt of the so-called Confederate States of America, or of any State, contracted to carry on war with the United States.

Mr. Stevens, of Pennsylvania, also introduced the following joint resolution; which was read a first and second time, and ordered to be referred to the Committee on the Judiciary:

*Resolved by the Senate and House of Representatives in Congress assembled*, That the following amendment to the Constitution of the United States shall be proposed, and when ratified by the Legislatures of three-fourths of the States shall be valid to all intents and purposes as part of the Constitution of the United States:

Amend the ninth section of the first article by expunging so much thereof as says, "No tax or duty shall be laid on articles exported from any State."

Mr. Stevens also introduced the following joint resolution; which was read a first and second time, and ordered to be referred to the Committee on the Judiciary:

*Resolved by the House of Representatives* (the Senate concurring), That the following amendment to the Constitution of the United States shall be proposed to the several States, and when ratified by the Legislatures of three-fourths of the States shall be valid to all intents and purposes as part of the Constitution of the United States:

Representatives shall be apportioned among the States which may be within the Union according to their respective legal voters; and for this purpose none shall be named as legal voters who are not either natural-born citizens or naturalized foreigners. Congress shall provide for ascertaining the number of said voters. A true census of the legal voters shall be taken at the same time with the regular census.

Mr. Stevens also introduced the following joint resolution; which was read a first and second time, and ordered to be referred to the Committee on the Judiciary:

*Resolved by the Senate and House of Representatives in Congress assembled*, That the following amendment to the Constitution of the United States shall be proposed, and when ratified by the Legislatures of three-fourths of the States shall be valid to all intents and purposes as part of the Constitution of the United States:

ARTICLE XIII. All national and State laws shall be equally applicable to every citizen, and no discrimination shall be made on account of race and color.

Mr. Broomall, of Pennsylvania, introduced a joint resolution to alter the Constitution of the United States, so as to base the representation in Congress upon the number of electors, instead of the population, of the several States; which was read a first and second time, and referred to the Committee on the Judiciary.



In the House, on December 6th, Mr. Bingham, of Ohio, introduced a joint resolution providing for an amendment of the Constitution of the United States by repealing the clause forbidding the laying of taxes or duties on articles exported from any State; which was read a first and second time, and referred to the Committee on the Judiciary. Also a joint resolution providing for an amendment to the Constitution of the United States forbidding the payment or assumption by the United States or by any State of any debt which has been or may hereafter be contracted in aid of any rebellion against the United States; which was read a first and second time, and ordered to be referred to the Committee on the Judiciary. Also a joint resolution to amend the Constitution of the United States so as to empower Congress to pass all necessary and proper laws to secure to all persons in every State of the Union equal protection in their rights, life, liberty, and property; which was read a first and second time, and ordered to be referred to the Committee on the Judiciary.

Mr. Farnsworth, of Illinois, offered the following resolutions, which were laid over:

*Resolved* (as the sense of this House), That, as all just powers of government are derived from the consent of the governed, that cannot be regarded as a just Government which denies to a large portion of its citizens, who share both its pecuniary and military burdens, the right to express either their consent or dissent to the laws which subject them to taxation and to military duty, and which refuses them full protection in the enjoyment of their inalienable rights.

*Resolved*, That in imposing taxes upon the people of the United States, none are excepted therefrom on account of color; so, too, in the laws enacted by Congress for enrolling and drafting into the military service of the Government those liable to military duty, no exemption because of color has been allowed; and while we have rewarded the foreigner, who is ignorant of our language and institutions, and who has but just landed upon our shores, with the right of citizenship for a brief service in the armies of the United States, good faith, as well as impartial justice, demand of this Government that it secure to the colored soldiers of the Union their equal rights and privileges as citizens of the United States.

*Resolved*, That we agree with the President of the United States that "mercy without justice is a crime;" and the admitting of rebels and traitors, upon whose hands the blood of slain patriots has scarcely dried, and upon whose hearts is the damning crime of starving to death loyal men taken as prisoners in battle, to the rights of citizenship and of suffrage, while we deny those rights to the loyal black man, who fought for the Union, and who fed and protected our starving soldiers, is a fit illustration of that truism.

In the Senate, on December 11th, Mr. Cowan, of Pennsylvania, offered the following resolution, which was laid over:

*Resolved*, That the President of the United States be, and is hereby, requested to furnish to the Senate information of the state of that portion of the Union lately in rebellion; whether the rebellion has been suppressed and the United States put again in possession of the States in which it existed; whether the United States courts are restored, post-offices re-established, and the revenues collected; and also whether the people of those States have reorganized

their State governments, and whether they are yielding obedience to the laws and Government of the United States.

The resolution was adopted on the next day, and the President made the following answer:

WASHINGTON, D. C., December 18, 1865.

*To the Senate of the United States:*

In reply to the resolution adopted by the Senate on the 12th instant, I have the honor to state that the rebellion waged by a portion of the people against the properly-constituted authorities of the Government of the United States has been suppressed; that the United States are in possession of every State in which the insurrection existed; and that, as far as could be done, the courts of the United States have been restored, post-offices re-established, and steps taken to put into effective operation the revenue laws of the country.

As the result of the measures instituted by the Executive, with the view of inducing a resumption of the functions of the States comprehended in the inquiry of the Senate, the people in North Carolina, South Carolina, Georgia, Alabama, Mississippi, Louisiana, Arkansas, and Tennessee, have reorganized their respective State governments, and "are yielding obedience to the laws and Government of the United States," with more willingness and greater promptitude than under the circumstances could reasonably have been anticipated. The proposed amendment to the Constitution, providing for the abolition of slavery forever within the limits of the country, has been ratified by each one of those States, with the exception of Mississippi, from which no official information has yet been received; and in nearly all of them measures have been adopted or are now pending, to confer upon freedmen rights and privileges which are essential to their comfort, protection, and security. In Florida and Texas the people are making commendable progress in restoring their State governments, and no doubt is entertained that they will at an early period be in a condition to resume all of their practical relations to the Federal Government.

In "that portion of the Union lately in rebellion," the aspect of affairs is more promising than, in view of all the circumstances, could well have been expected. The people throughout the entire South evince a laudable desire to renew their allegiance to the Government, and to repair the devastations of war by a prompt and cheerful return to peaceful pursuits. An abiding faith is entertained that their actions will conform to their professions, and that, in acknowledging the supremacy of the Constitution and the laws of the United States, their loyalty will be unreservedly given to the Government, whose leniency they cannot fail to appreciate, and whose fostering care will soon restore them to a condition of prosperity.

It is true that in some of the States the demoralizing effects of war are to be seen in occasional disorders; but these are local in character, not frequent in occurrence, and are rapidly disappearing as the authority of civil law is extended and sustained. Perplexing questions were naturally to be expected from the great and sudden change in the relations between the two races; but systems are gradually developing themselves under which the freedman will receive the protection to which he is justly entitled, and by means of his labor make himself a useful and independent member of the community in which he has his home. From all the information in my possession, and from that which I have recently derived from the most reliable authority, I am induced to cherish the belief that sectional animosity is surely and rapidly merging itself into a spirit of nationality, and that representation, connected with a properly-adjusted system of taxation, will result in a harmonious restoration of the relations of the States to the national Union.

The report of Carl Schurz is herewith transmitted,



as requested by the Senate. No reports from Hon. John Covode have been received by the President. The attention of the Senate is invited to the accompanying report of Lieutenant-Gen. Grant, who recently made a tour of inspection through several of the States whose inhabitants participated in the rebellion.

ANDREW JOHNSON.

Mr. Cowan: "I ask that the report of General Grant be read."

The President *pro tempore*: "If there be no objection, that report will be read."

The Secretary read as follows:

HEADQUARTERS ARMIES OF THE UNITED STATES, }  
WASHINGTON, D. C., December 18, 1865. }

SIR: In reply to your note of the 16th instant, requesting a report from me giving such information as I may be possessed of, coming within the scope of the inquiries made by the Senate of the United States in their resolution of the 12th instant, I have the honor to submit the following:

With your approval, and also that of the honorable Secretary of War, I left Washington city on the 27th of last month for the purpose of making a tour of inspection through some of the Southern States, or States lately in rebellion, and to see what changes were necessary to be made in the disposition of the military forces of the country; how these forces could be reduced and expenses curtailed, etc., and to learn, as far as possible, the feelings and intentions of the citizens of those States toward the General Government.

The State of Virginia being so accessible to Washington city, and information from this quarter therefore being readily obtained, I hastened through the State without conversing or meeting with any of its citizens. In Raleigh, North Carolina, I spent one day; in Charleston, South Carolina, two days; Savannah and Augusta, Georgia, each one day. Both in travelling and while stopping, I saw much and conversed freely with the citizens of those States, as well as with officers of the army who have been stationed among them. The following are the conclusions come to by me:

I am satisfied that the mass of thinking men of the South accept the present situation of affairs in good faith. The questions which have heretofore divided the sentiments of the people of the two sections—slavery and States rights, or the right of a State to secede from the Union—they regard as having been settled forever by the highest tribunal, arms, that man can resort to. I was pleased to learn from the leading men whom I met, that they not only accepted the decision arrived at as final, but that now, when the smoke of battle has cleared away and time has been given for reflection, this decision has been a fortunate one for the whole country, they receiving like benefits from it with those who opposed them in the field and in council.

Four years of war, during which law was executed only at the point of the bayonet throughout the States in rebellion, have left the people possibly in a condition not to yield that ready obedience to civil authority the American people have generally been in the habit of yielding. This would render the presence of small garrisons throughout those States necessary until such time as labor returns to its proper channels, and civil authority is fully established. I did not meet any one, either those holding places under the Government or citizens of the Southern States, who think it practicable to withdraw the military from the South at present. The white and the black mutually require the protection of the General Government.

There is such universal acquiescence in the authority of the General Government throughout the portions of country visited by me, that the mere presence of a military force, without regard to numbers, is sufficient to maintain order. The good of the coun-

try and economy require that the force kept in the interior where there are many freedmen (elsewhere in the Southern States than at forts upon the sea-coast no force is necessary) should all be white troops. The reasons for this are obvious, without mentioning many of them. The presence of black troops, lately slaves, demoralizes labor both by their advice and by furnishing in their camps a resort for the freedmen for long distances around. White troops generally excite no opposition, and therefore a small number of them can maintain order in a given district. Colored troops must be kept in bodies sufficient to defend themselves. It is not the thinking men who would use violence toward any class of troops sent among them by the General Government, but the ignorant in some cases might; and the late slave seems to be imbued with the idea that the property of his late master should by right belong to him, or at least should have no protection from the colored soldier. There is danger of collisions being brought on by such causes.

My observations lead me to the conclusion that the citizens of the Southern States are anxious to return to self-government within the Union as soon as possible; that while reconstructing they want and require protection from the Government; that they are in earnest in wishing to do what they think is required by the Government, not humiliating to them as citizens, and that if such a course was pointed out they would pursue it in good faith. It is to be regretted that there cannot be a greater commingling at this time between the citizens of the two sections, and particularly of those intrusted with the law-making power.

I did not give the operations of the Freedmen's Bureau that attention I would have done if more time had been at my disposal. Conversations on the subject, however, with officers connected with the bureau lead me to think that in some of the States its affairs have not been conducted with good judgment or economy, and that the belief widely spread among the freedmen of the Southern States, that the lands of their former owners will, at least in part, be divided among them, has come from the agents of this bureau. This belief is seriously interfering with the willingness of the freedmen to make contracts for the coming year. In some form the Freedmen's Bureau is an absolute necessity until civil law is established and enforced, securing to the freedmen their rights and full protection. At present, however, it is independent of the military establishment of the country, and seems to be operated by the different agents of the bureau according to their individual notions. Everywhere General Howard, the able head of the bureau, made friends by the just and fair instructions and advice he gave; but the complaint in South Carolina was that when he left, things went on as before. Many, perhaps the majority, of the agents of the Freedmen's Bureau advise the freedmen that by their own industry they must expect to live. To this end they endeavor to secure employment for them, and to see that both contracting parties comply with their engagements. In some instances, I am sorry to say, the freedman's mind does not seem to be disabused of the idea that a freedman has the right to live without care or provision for the future. The effect of the belief in division of lands is idleness and accumulation in camps, towns, and cities. In such cases I think it will be found that vice and disease will tend to the extermination or great reduction of the colored race. It cannot be expected that the opinions held by men at the South for years can be changed in a day, and therefore the freedmen require for a few years not only laws to protect them, but the fostering care of those who will give them good counsel and in whom they can rely.

The Freedmen's Bureau, being separated from the military establishment of the country, requires all the expense of a separate organization. One does not necessarily know what the other is doing, or what



orders they are acting under. It seems to me this could be corrected by regarding every officer on duty with troops in the Southern States as agents of the Freedmen's Bureau, and then have all orders from the head of the bureau sent through department commanders. This would create a responsibility that would secure uniformity of action throughout all the South; would insure the orders and instructions from the head of the bureau being carried out, and would relieve from duty and pay a large number of employés of the Government.

I have the honor to be, very respectfully, your obedient servant,

U. S. GRANT,  
Lieutenant-General.

His Excellency A. JOHNSON,  
President of the United States.

Mr. Sumner: "I wish to know whether the report of Major-General Carl Schurz is annexed to the message of the President."

The President *pro tempore*: "The Chair understands that it is."

Mr. Sumner: "If it is there, I think it had better be read."

Several Senators: "It is very long."

Mr. Sumner: "It is a very important document. The Senate will remember that when the report was made on the condition of things in Kansas, every word of it was read at the desk. Now the question before the country is infinitely more important than that of Kansas. We have a message from the President which is like the whitewashing message of Franklin Pierce with regard to the enormities in Kansas. That is its parallel. I think that the Senate had better at least listen to the opening of Major-General Schurz's report."

Mr. Johnson: "I have no objection, if the Senate think they have time to listen to it; but I do not expect to hear any assault, direct or indirect, upon the President at this time."

Mr. Sumner: "No assault at all."

The motion was agreed to.

Mr. Johnson: "I have seen nothing in the message which would warrant a reflection that any improper purpose had actuated the President in sending it here. He does not mean, as I suppose, to whitewash anybody who has offended. His opinions upon the state of the country are fairly stated, clearly stated, with an absence of all passion, and I think commend themselves to the attention of the Senate. But I arose, Mr. President, for no such purpose as that of involving ourselves in a debate in relation to the Executive. I only suggest that perhaps it would be as well that this report should be printed, instead of being read now, as the Senate has a good deal of business before it; but I withdraw the objection if the Senate desire to hear it."

The Secretary proceeded to read the introductory paragraphs of General Schurz's report, in which he states through what portion of the South he travelled, the points at which he stopped, his facilities for obtaining information, and the order in which the results of his observation would be detailed.

Mr. Sherman: "I would much prefer to read this document in print; and I move to dispense

with its further reading, and that it be printed with the message and the other papers. I cannot very well hear the reading while conversation is going on in the chamber."

The motion was adopted.

In the House, on December 11th, Mr. Niblack, of Indiana, moved a suspension of the rules, to allow him to offer the following resolution:

*Resolved*, That pending the question as to the admission of persons claiming to have been elected Representatives to the present Congress from the States lately in rebellion against the United States Government, such persons shall be entitled to the privileges of the floor of the House.

The motion was lost. Yeas 39, nays 110.

Mr. Garfield, of Ohio, offered the following, which was agreed to:

*Resolved*, That the President be requested, if not incompatible with the public service, to communicate to this House any information in the possession of any of the Executive Departments of the Government in reference to a so-called decree, by Maximilian, the French agent in Mexico, under date of September 5, 1865, reëstablishing slavery or peonage in that republic, and also what action, if any, has been taken by the Government of the United States with reference thereto.

In the Senate, on December 12th, the House resolution, as follows, was considered:

*Be it resolved by the Senate and House of Representatives in Congress assembled*, That a joint committee of fifteen members shall be appointed, nine of whom shall be members of the House and six members of the Senate, who shall inquire into the condition of the States which formed the so-called Confederate States of America, and report whether they, or any of them, are entitled to be represented in either House of Congress; with leave to report at any time, by bill or otherwise; and until such report shall have been made, and finally acted on by Congress, no member shall be received into either House from any of the said so-called Confederate States; and all papers relating to the representation of said States shall be referred to the said committee without debate.

Mr. Anthony, of Rhode Island, said: "I move to amend the enacting clause of the resolution, which now reads as a joint resolution, so as to make it a concurrent resolution, inasmuch as a joint resolution goes to the President for his signature."

The motion was agreed to.

Mr. Anthony then moved to amend by striking out the following words after the word "otherwise."

And until such report shall have been made, and finally acted on by Congress, no member shall be received into either House from any of the said so-called Confederate States; and all papers relating to the representation of said States shall be referred to the said committee without debate.

Mr. Howard, of Michigan, opposed the amendment, saying: "Mr. President, I cannot vote for that amendment. I prefer the resolution as it came from the House of Representatives, because, whether the concurrent resolution has or has not the effect of law, it certainly contains within itself a pledge on the part



of the two Houses, given the one to the other, that until the report of this important committee shall have been presented, we will not readmit any of the rebel States either by the recognition of their Senators or of their Representatives. I think, sir, the country expects nothing less than this at our hands. I think that portion of the loyal people of the United States who have sacrificed so much of blood and treasure in the prosecution of the war, and who secured to us the signal victory which we have achieved over the rebellion, have a right to at least this assurance at our hands, that neither House of Congress will recognize as States any one of the rebel States until the event to which I have alluded.

"Sir, what is the present position and *status* of the rebel States? In my judgment they are simply conquered communities, subjugated by the arms of the United States—communities in which the right of self-government does not now exist. Why? Because they have been for the last four years hostile, to the most surprising unanimity hostile, to the authority of the United States, and have during that period been waging a bloody war against that authority. They are simply conquered communities; and we hold them, as we know well, as the world knows to-day, not by their own free will and consent as members of the Union, but solely by virtue of our superior military power, which is exerted to that effect throughout the length and breadth of the rebel States. There is in those States no rightful authority, according to my view, at this time but that of the United States, and every political act, every governmental act exercised within their limits, must necessarily be exercised and performed under the sanction and by the will of the conqueror.

"In short, sir, they are not to-day loyal States; their population are not willing to-day, if we are rightly informed, to perform peaceably, quietly, and efficiently the duties which pertain to the population of a State in the Union and of the Union; and for one, I cannot consent to recognize them, even indirectly, as entitled to be represented in either House of Congress at this time. The time has not yet come, in my judgment, to do this, and I object to the amendment for the reason that it leaves the implication—and the implication will be drawn and clearly understood by the public—that one or the other House of Congress may, whenever it sees fit, readmit Senators or Representatives from a rebel State as it sees fit, without the concurrence of the other House, and I hold it to be utterly incompetent for the Senate, under the present condition of things, and for the House of Representatives, under the same condition, to admit Senators or Representatives into Congress without the consent of both Houses and the formal recognition of the fact that hostilities have ceased and that loyalty is restored in the rebel States."

Mr. Anthony, of Rhode Island, followed in

explanation: "Supposing that this amendment might not provoke any debate, I forbore to state the purpose with which I offered it. The Senator from Michigan in his remarks has not touched the reasons why I proposed the amendment. It is from no opposition to what I understand to be the purpose of the words stricken out. That purpose I understand to be that both Houses shall act in concert in any measures which they may take for the reconstruction of the States lately in rebellion. I think that that object is eminently desirable; and not only that the two Houses shall act in concert, but that Congress shall act in concert with the Executive; that all branches of the Government shall approach this great question in a spirit of comprehensive patriotism, with confidence in each other, with a conciliatory temper toward each other, and that each branch of the Government and all persons in each branch of the Government will be ready, if necessary, to concede something of their own views in order to meet the views of those who are equally charged with the responsibility of public affairs.

"Mr. President, the words proposed to be stricken out refer to the joint committee of the two Houses of Congress, matters which the Constitution confides to each House separately. Each House is made by the Constitution the judge of the elections, returns, and qualifications of its own members. Under this resolution, I apprehend, it would be necessary to refer to this joint committee the credentials of persons claiming seats in this body, referring them not only to a committee composed in part of others than members of this body, but composed of a majority of others than members of this body. I know it may be argued that this contemplates the reference only of the question whether a State has a right to be represented, not the question whether a person claiming to represent it has a right to represent it, and perhaps that construction might obtain; but at least the resolution, as it reads, is open to a doubtful construction, and that the Senate should avoid.

"There is one other reason why I move this amendment, and that is that the resolution provides that papers shall be referred to this committee without debate. This is contrary to the practice of the Senate. The House of Representatives has found it necessary, for the orderly transaction of its business, to put limitations upon debate, hence the previous question and the hour rule; but the Senate has always resisted every proposition of this kind, and has submitted to any inconvenience rather than check free discussion."

Mr. Doolittle, of Wisconsin, objecting to the resolution, said: "In my own judgment, sir, all of these great questions, concerning reconstruction, pacification, and restoration of civil government in the Southern States, representation in this body, or any thing which concerns our Federal relations with the several States, ought



to be referred to the Committee on the Judiciary. Such has been the practice of this Government from the beginning. Great questions of constitutional law, questions concerning the relations of the Union to the States and the States to the Union, and above all, and without any exception, all questions relating to representation in this body, to its membership, have always been referred to the Judiciary Committee.

"The Judiciary Committee is constituted for the very purpose of considering such questions, and for no other purpose. From its very organization, the Senate designs to make that committee its constitutional adviser—not that its opinions are to be conclusive or controlling on the vote of any member of this body, like the opinion of the bench of judges in the House of Lords; but its members are chosen in consideration of their high professional ability, their long experience, and well-known standing as jurists, in order that their report upon constitutional questions may be entitled to the highest consideration.

"Mr. President, there is nothing in the history of the Senate, there is nothing in the constitution of this committee, which would send these great constitutional questions for advisement and consideration to any other committee than the Committee on the Judiciary. To place their consideration in the hands of a committee which is beyond the control of the Senate, is to distrust ourselves; and to vote to send their consideration to any other committee is equivalent to a vote of want of confidence in the Judiciary Committee.

"But, sir, I object to this resolution in the first place, because upon these great questions which are to go to the joint committee the Senate does not stand upon an equality with the House. This resolution provides that, of the joint committee of fifteen, nine shall be appointed by the House of Representatives, six only by the Senate, giving to the House portion of the committee a majority of three. We all know that in joint committees the members vote, not as the representatives of the two Houses, but *per capita*. The vote of a member of the committee from the House weighs precisely the same as the vote of a member of the committee from the Senate; so that to all intents and purposes, if we pass this concurrent resolution, which we cannot repeal but by the concurrence of the other House, we place the consideration of these grave questions in the hands of a committee which we cannot control, and in which we have no equal voice.

"Mr. President, another objection to the resolution as it came from the House, and a strong reason why I favor the amendment proposed by the Senator from Rhode Island, is that the resolution in its terms reaches even beyond the present Congress. Sir, have you carefully studied this language, which would seem almost to have been employed for the purpose rather of disguising its hidden meaning than of giving

full utterance to the truth? The resolution provides that, in case this committee shall for any reason make no report, or if for any reason Congress, which includes both Houses, shall not take final action thereon, the restrictive clause goes into effect as a law, and what is its provision? It provides by law that, in the happening of that contingency, that failure to act, no one of the eleven States of the United States shall send a Representative to either House of Congress. It would be binding on the Senate until repealed, beyond the present Congress; it would bind us in the next Congress and bind us in the Congress after that. It would be of perpetual binding obligation forever until repealed by act of Congress.

"Sir, what would have been thought of the joint resolution raising the Committee on the Conduct of the War if there had been contained in it a provision similar to this, which the Senator from Rhode Island moves to strike out, and which the Senator from Michigan insists shall be retained, and upon which he calls the yeas and nays of the Senate? Suppose that in that joint resolution there had been a provision declaring that until the joint Committee on the Conduct of the War should make their final report, and Congress should take final action thereon, neither House of Congress should take any action on the subject of carrying on the war, and that every paper relating to that subject should be referred to that committee without debate? Monstrous as such a proposition would have been, it might perhaps have been within the purview of the Constitution for us to adopt it; but on the subject of representation in this body, it is not within our constitutional power to delegate our power to any other body, or to any committee which we ourselves do not control.

"Mr. President, I believe that under the Constitution, upon all subjects of legislation but one, the two Houses are equal and coördinate branches of Congress. That one relates to their representation in the bodies, to their membership, that which constitutes their existence, which is essential to their life and their independence. That is confided to each House, and to each House alone, to act for itself. It judges for itself upon the elections, returns, and qualifications of its members. It judges, it admits, it punishes, it expels. It cannot share that responsibility with any other department of the Government. It can no more share it with the other House than it can share it with the Supreme Court or with the President. It is a matter over which its jurisdiction is exclusive of every other jurisdiction. It is a matter in which its decisions, right or wrong, are absolute and without appeal. Sir, in my opinion the Senate of the United States cannot give to a committee beyond its control this question of the representation in this body, without a loss of its self-respect, its dignity, its independence; without an abandonment of its constitutional duty and a surrender of its constitutional powers.



"Mr. President, there is another provision in this resolution as it stands. It not only takes from the Senate all power to act over this subject until this committee shall report and Congress shall take final action, but it declares that we shall refer every paper to the committee without debate. Yes, sir, the Senate of the United States is to be led like a lamb to the slaughter, bound hand and foot, shorn of its constitutional power, and gagged, dumb, like the sheep brought to the block! Is this the condition to which the Senator from Michigan proposes to reduce the Senate of the United States by insisting upon such a provision as that contained in the resolution as it comes from the House of Representatives?

"Mr. President, there is still a graver objection to this resolution as it stands. The provision that, 'until such report shall have been made and finally acted on by Congress, no member shall be received into either House from any of the so-called Confederate States,' is a provision which, by law, excludes those eleven States from their representation in the Union. Sir, pass that resolution as it stands, and let it receive the signature of the President, and you have accomplished what the rebellion could not accomplish, what the sacrifice of half a million men could not accomplish in warring against this Government—you have dissolved the Union by act of Congress. Sir, are we prepared to sanction that? I trust never.

"The Senator from Michigan talks about the *status* of these States. He may very properly raise the question whether they have any Legislatures that are capable of electing Senators to this body. That is a question of fact to be considered; but as to whether they are States, and States still within the Union, notwithstanding their civil form of government has been overturned by the rebellion and their Legislatures have been disorganized—that they are still States in this Union is the most sacred truth and the dearest truth to every American heart, and it will be maintained by the American people against all opposition, come from what quarter it may. Sir, the flag that now floats on the top of this Capitol bears thirty-six stars. Every star represents a State in this Union. I ask the Senator from Michigan, does that flag, as it floats there, speak the nation's truth to our people and to the world, or is it a hypocritical, flaunting lie? That flag has been borne at the head of our conquering legions through the whole South, planted at Vicksburg, planted at Columbia, Savannah, Charleston, Sumter; the same old flag which came down before the rebellion at Sumter was raised up again, and it still bore the same glorious stars; 'not a star obscured,' not one.

"These people have been disorganized in their civil governments in consequence of the war; the rebels overturned civil government in the first place, and we entered with our armies and captured the rebellion; but did that destroy the States? Not at all. We entered the

States to save them, not to destroy them. Our constitutional duty is to save them, and save every one of them, and not to destroy them. The guaranty in the Constitution is a guaranty to the States, and to every one of the States, and the obligation that rests upon us is to guarantee to South Carolina a republican form of government as a State in this Union, and not as a Territory. The doctrine of the territorial condition of these States, that they are mere conquered, subjugated territories, as if we had conquered Canada or Mexico, will not stand argument for a moment. It is utterly at war with the ground on which we stand and have stood from the beginning. The ground we occupied was this: that no State nor the people of any State had any power to withdraw from the Union. They could not do it peacefully; they undertook to do it by arms; we crushed the attempt; we trampled their armies under our feet; we captured the rebellion; the States are ours; and we entered them to save, and not to destroy."

Mr. Fessenden, of Maine, said: "I have said I was in favor of this resolution when I first read it, for the reason that it looked to a purpose which I approve—calm and deliberate consideration before action; but when I came to read it over more carefully and hear the opinions of others, I came to the conclusion, for the reasons that have been given by my honorable friend from Rhode Island, that the resolution perhaps went a little too far. It was important to have a committee by which this subject should be investigated, composed of members of the two Houses, for the reason, among others, that it is very important that the two Houses should act in harmony, that one House should not take action that would be at variance with the action of the other, and that, after investigation of the subject, it would result, as I believe, from the constitution of Congress, that the two Houses would act in harmony, on the same principles, and with the same views, and neither would act hastily. Therefore the committee was important, and a committee that should be carefully chosen, as I said before, and deliberate well and advise well; and I did not conceive that a little delay, that a few weeks' time, or even a few months' time, if necessary, given to that subject, would be misspent. We had better spend a little time now than take a step to be repented of in all our after-lives and in all the future life of the Republic.

"The points to which attention has been called by the honorable mover of the amendment are precisely those to which I objected. While I approved the committee, I did not think, in the first place, that we should change the order of proceeding and the long-tried rules of the Senate, especially the one with regard to debate. It has always been open here on every subject. Every Senator was at liberty to speak as much and as long as he pleased within the rules of order upon every subject opened to de-



bate in the Senate. I was very unwilling that that should be changed. If the House of Representatives, for its own convenience and in order to accomplish business, finds it necessary to adopt another rule, that rule can be adopted by the House as applicable to its own proceedings, but not here; and hence I was opposed to that particular provision, and thought it unwise so far as we were concerned.

"My judgment was that every thing that was necessary could be accomplished by the mere appointment of a joint committee of the two Houses; that it was not necessary to provide that all the credentials of members should be referred to that committee. There was an apparent constitutional objection to it; and there is much force in the argument that if that should be done, and the provision retained that no action should be had until there was a report from that committee, constituted as the committee is to be, each House is putting into the hands of the other a power to control its action in a matter which, by the Constitution, is left to itself. I might have been willing even to strain a little upon that point had I conceived that there was any danger; but, sir, when we come to look at it, a committee is appointed by the ordinary rules of proceeding; every thing relating to the proper subject-matter, referred to that committee goes there; no harm would happen from a discussion in this body on that subject; it would very soon be settled, and we should avoid the apparent difficulty that arose with reference to what was our constitutional duty. I was not frightened by any idea that it was necessary now to tie up this body or that body by a joint rule which could not be altered without the assent of the other, because, on such a subject, a majority at any time will rule. If this body chooses at any time to become false to its duty, it will find a way to accomplish the wrong; and so will it be with the House of Representatives.

"If the members of that body are, as I believe they will be, firm in their convictions of right and what the good of the country requires, there is no need of putting them under the control of the Senate in order to keep them so. Hence I agree with the honorable Senator who moved this amendment that it is best to strike out that clause, and simply appoint a committee, and then if the Senate chooses to pass a rule of its own to refer all the papers on this subject, even credentials, to that committee, so be it; it will have the control of that subject: and if the House of Representatives, on the other hand, chooses to do the same thing, so be it; it will have the control of its own action, and we have accomplished the great purpose, which is to put the consideration of the question which lies at the foundation of this subject of the admission of members into the hands of a joint committee to be thoroughly consulted upon and considered. That is the only ground upon which my judgment

coincides with that of the honorable Senator from Rhode Island.

"My friend from Michigan (Mr. Howard) will allow me to say to him that I do not think the question of whether the men who may present themselves as members are fit to come in now, or whether the States of which they profess to be the representatives are fit to come in now and act with us and ought to be admitted to do so, is involved in this question at all. He has argued it as if by striking out this portion of the resolution we have settled that. By no manner of means. If it would do so, I would vote with him. We are only settling, on the contrary, that that question shall be deferred until a committee of both branches have thoroughly considered it and reported to this body; and certainly I shall go with him, as long as I believe that committee is doing its duty, in opposing action upon the subject committed to it until it is ready to enlighten us with the information it may have received and the conclusions to which it may have arrived. I say this simply to bar the inference that by this action in amending it any one who may vote for it means to say or intimate that he is ready to act upon that question now and admit anybody from any of these so-called Confederate States. Certainly I am not one of them, and yet I shall vote with the honorable Senator from Rhode Island.

"Allow me to say, sir, in closing, one thing which I may as well say now in the beginning of the session, because it is the principle which I intend shall guide my action, and I hope will guide the action of all of us. We have just gone through a state of war. While we were in it, it became necessary all around to do certain things for which perhaps no strict warrant will be found; contrary, at any rate, to previous experience. That I admit most distinctly. Sir, I defended them from the beginning. I laid down the principle that the man who, placed in a position such as the President and other officers occupied, would not, in a time of war, and when his country was in peril, put his own reputation at hazard as readily as he would any thing else in order to do his duty, was not fit for his place. I upheld many things then that perhaps I would not uphold now, because they are not necessary. The time must come when the Senate and House of Representatives, the Congress, must revert to its own original position. I do not think there will be the slightest danger; I have no apprehension of any; but if I act upon different principles now and hereafter in a state of peace, from those which I adopted and defended before, I wish everybody to understand the reason for it. In all countries, in all nations in a time of extreme peril, extreme and somewhat questionable measures are inevitable."

The amendment was agreed to.

Mr. Cowan, of Pennsylvania, moved further to amend the resolution by striking out the word "nine" in the second line and inserting



the word "six." The amendment was lost—yeas 14, nays 29.

Mr. Saulsbury, of Delaware, followed, saying: "This resolution, as it exists now, is very objectionable to my mind. It is for the appointment of a committee of the two Houses to determine and to report upon, what? The right of representation of eleven States in this body. What determines the rights of those States to representation here? Is it the views of the members of the House of Representatives? Do we stand in need of any light, however bright it may be, that may come from that distinguished quarter? Are we going to ask them to illuminate us by wisdom, and to report the fact to us whether those States are entitled to representation on this floor?"

"Mr. President, on the first day of your assemblage after the battle of Manassas you and they declared, by joint resolution, that the object for which the war was waged was for no purpose of conquest or subjugation, but it was to preserve the Union of the States and to maintain the rights, dignity, and equality of the several States unimpaired. While that war was being waged there was no action, either of this House or of the House of Representatives, declaring that when it was over the existence of those States should be ignored or their right to representation in Congress denied. Throughout the whole contest the battle-cry was "the preservation of the Union" and "the Union of the States." If there was a voice then raised that those States had ceased to have an existence in this body, it was so feeble as to be passed by and totally disregarded.

"Sir, suppose this committee should report that those States are not entitled to representation in this body, are you bound by their action? Is there not a higher law, the supreme law of the land, which says, if they be States that they shall each be entitled to two Senators on this floor? And shall a report of a joint committee of the two Houses override and overrule the fundamental law of the land? Sir, it is dangerous as a precedent, and I protest against it as a humble member of this body. If they be not States, then the object avowed for which the war was waged was false."

Mr. Doolittle added: "I feel called upon to say, in relation to this matter, that inasmuch as the Senate and House of Representatives are not put upon a footing of equality in the committee, I am constrained to vote against the resolution. As my friends around me all know, I have uniformly stated to them that I could not vote for the resolution if they were not put upon a footing of equality."

Mr. Hendricks, of Indiana, said: "I shall vote against this resolution because it refers to a joint committee a subject which, according to my judgment, belongs exclusively to the Senate. I know that the resolution no longer provides in express terms that the Senate, pending the continuance of the investigation of this

committee, will not consider the question of credentials from these States, but in effect it amounts to that."

Mr. Trumbull, of Illinois, said: "If I understood the resolution as the Senator from Indiana does, I should certainly vote with him; but I do not so understand it as it has been amended. That was the very objection to the resolution in the form in which it came from the House of Representatives, but as it has been amended it is simply a resolution that a joint committee be raised to inquire into the condition of the States which formed the so-called Confederate States of America, and to report whether they or any of them are entitled to be represented in either House of Congress, with leave to report at any time by bill or otherwise. It is true, as the Senator says, that after having raised this committee, the Senate will not be likely to take action in regard to the admission of the Senators from any of these States until the committee shall have had a reasonable time at least to act and report; but it is very desirable that we should have joint action upon this subject. It would produce a very awkward and undesirable state of things in the mind, I doubt not, of the Senator from Indiana himself, if the House of Representatives were to admit members from one of the lately rebellious States and the Senate were to refuse to receive Senators from the same State.

"We all know that the State organizations in certain States of the Union have been usurped and overthrown. This is a fact of which we must officially take notice. There was a time when the Senator from Indiana, as well as myself, would not have thought of receiving a Senator from the Legislature or what purported to be the Legislature of South Carolina. When the people of that State, by their representatives, undertook to withdraw from the Union and set up an independent government in that State in hostility to the Union, when the body acting as a Legislature there was avowedly acting against this Government, neither he nor I would have received representatives from it. That was a usurpation which by force of arms we have put down. Now the question arises, has a State Government since been inaugurated there entitled to representation? Is not that a fair subject of inquiry? Ought we not to be satisfied upon that point? We do not make such an inquiry in reference to members that come from States which have never undertaken to deny their allegiance to the Government of the United States. Having once been admitted as States, they continue so until by some positive act they throw off their allegiance, and assume an attitude of hostility to the Government, and make war upon it; and while in that condition I know we should all object that they, of course, could not be represented in the Congress of the United States. Now, is it not a proper subject for inquiry to ascertain whether they have assumed a position in harmony with the Government; and is it not proper that that



inquiry should be made the subject of joint action?"

Mr. Dixon, of Connecticut, said: "I desire to offer a proviso by way of amendment, and I will only say that without such proviso I cannot vote for the resolution. My amendment is, after the words 'bill or otherwise' to insert:

*Provided*, That nothing herein contained shall be so constructed as to limit, restrict, or impair the right of each House at all times to judge of the elections, returns, and qualifications of its own members.

Mr. Guthrie, of Kentucky, said: "I wish to ask the friends of this resolution if it is contemplated that this committee shall take evidence and report that evidence to the two Houses. If they are only to take what is open to every member of the Senate, the fact that the rebellion has been suppressed; the fact that the President of the United States has appointed officers to collect the taxes, and in some instances judges and other officers; that he has sent the post-office into all the States; that there have been found enough individuals loyal to the country to accept the offices; the fact that the President has issued his proclamation to all these States appointing provisional governors; that they have all elected conventions; that the conventions have rescinded the ordinances of secession; that most of them have amended their constitutions and abolished slavery, and the Legislatures of some of them have passed the amendment to the Constitution on the subject of slavery—if they are only to take these facts which are open and clear to us all, I can see no necessity for such a committee. My principal objection to the resolution is, that this committee can give us no information which we do not now possess, coupled with the fact that the loyal conservative men of the United States, North, South, East, and West, do most earnestly desire that we shall so act that there shall be no longer a doubt that we are the United States of America in full accord and harmony with each other.

"I know it has been said that the President had no authority to do these things. I read the Constitution and the laws of this country differently. He is to 'take care that the laws be faithfully executed;' he is to suppress insurrection and rebellion. The power is put in his hands, and I do not see why, when he marches into a rebel State, he has not authority to put down a rebel government and put up a government that is friendly to the United States, and in accordance with it; I do not see why he cannot do that while the war goes on, and I do not see why he may not do it after the war is over. The people in those States lie at the mercy of the nation. I see no usurpation in what he has done, and if the work is well done, I, for one, am ready to accept it. Are we to send out a commission to see what the men whom he has appointed have done? It is said that they are not to be relied on; that they have been guilty of treason, and we

will not trust them. I hope that no such ideas will prevail here. I think this will be a cold shock to the warm feelings of the nation for restoration, for equal privileges, and equal rights. They were in insurrection. We have suppressed that insurrection. They are now States of the Union; and if they come here according to the laws of the States, they are entitled, in my judgment, to representation, and we have no right to refuse it. They are in a minority, and they would be in a minority even if they meant now what they felt when they raised their arms against the Government; but they do not, and of those whom they will send here to represent them, nineteen out of twenty will be just as loyal as any of us—even some of those who took up arms against us."

The question being taken by yeas and nays, on the amendment of Mr. Dixon, resulted—yeas 12, nays 31.

So the amendment was rejected.

The question on concurring in the resolution as amended being taken by yeas and nays, resulted as follows:

YEAS—Messrs. Anthony, Brown, Chandler, Clark, Conness, Creswell, Fessenden, Foot, Foster, Grimes, Harris, Howard, Howe, Lane of Indiana, Lane of Kansas, Morgan, Morrill, Norton, Nye, Poland, Pomeroy, Ramsey, Sherman, Sprague, Stewart, Sumner, Trumbull, Van Winkle, Wade, Willey, Williams, Wilson, and Yates—33.

NAYS—Messrs. Buckalew, Cowan, Dixon, Doolittle, Guthrie, Hendricks, Johnson, Riddle, Saulsbury, Stockton, and Wright—11.

ABSENT—Messrs. Cragin, Davis, Henderson, McDougal, and Nesmith—5.

So the resolution, as amended, was concurred in, as follows:

*Resolved by the House of Representatives* (the Senate concurring), That a joint committee of fifteen members shall be appointed, nine of whom shall be members of the House, and six members of the Senate, who shall inquire into the condition of the States which formed the so-called Confederate States of America, and report whether they, or any of them, are entitled to be represented in either House of Congress, with leave to report at any time by bill or otherwise.

The consideration of the amended resolution took place in the House on December 13th.

Mr. Stevens, of Pennsylvania, moved that the House concur in the amendments of the Senate. He said: "The Senate took what to them appeared to be the proper view of their prerogatives, and though they did not seem to differ with us as to the main object, the mode of getting at it with them was essential, and they very properly put the resolution in the shape they considered right.

"They have changed the form of the resolution so as not to require the assent of the President; and they have also considered that each House should determine for itself as to the reference of papers by its own action at the time. To this I see no objection, and while moving to concur, I will say now that when it is in order I shall move, or some other gentleman will move when his State is called, a resolution pre-



cisely similar or very nearly similar to the provision which the Senate has stricken out, only applicable to the House alone. I merely give that notice now. I cannot move it as an amendment to this resolution, because that would send the resolution back to the other House, which is not desirable."

Mr. Raymond, of New York, said: "I wish to inquire, not being versed in the usages of the House, or its rules, whether this clause of the Constitution does not apply. It is the seventh section of the first article of the Constitution:

Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

"I do not understand how that can be evaded. It is possible that the usages of the House may dispense with it."

Mr. Stevens, of Pennsylvania, replied: "Under the usage of the House, a resolution in this form is never sent to the President, and it is not desired that this resolution should be. I know it has not been the practice heretofore to send such resolutions to the President."

The amendments of the Senate were then agreed to.

In the House on December 14th, the Speaker announced the following members of the joint committee on the part of the House: Messrs. Thaddeus Stevens of Pennsylvania, Elihu B. Washburne of Illinois, Justin S. Morrill of Vermont, Henry Grider of Kentucky, John A. Bingham of Ohio, Roscoe Conkling of New York, George S. Boutwell of Massachusetts, Henry T. Blow of Missouri, and Andrew J. Rogers of New Jersey.

In the Senate, on December 21st, the following members were announced by the President *pro tem.*: Messrs. Fessenden, Grimes, Harris, Howard, Johnson, Williams.

In the Senate, on December 19th, Mr. Anthony, of Rhode Island, offered the following:

*Resolved*, That until otherwise ordered, all papers presented to the Senate relating to the condition and title to representation of the so-called Confederate States, shall be referred to the joint committee upon that subject.

It was laid over until January 16th, when it was considered. A debate arose on the question whether the resolution embraced the credentials of Senators. Mr. Doolittle, of Wisconsin, moved to insert the words "except credentials," and the debate was not concluded.

In the Senate, on January 12th, Mr. Fessenden, of Maine, offered the following, which was agreed to:

*Resolved by the Senate* (the House of Representatives concurring), That the joint committee appointed to inquire into the condition of the States which formed the so-called Confederate States be authorized to send for persons and papers.

The same resolution was agreed to in the House on January 16th—yeas 125, nays 35.

In the Senate, on January 30th, Mr. Fessenden, of Maine, offered a joint resolution, appropriating \$10,000, or so much thereof as might be necessary for the expenses of the committee, for witnesses, travelling expenses, etc., which was passed. It subsequently passed the House on February 7th, and was approved by the President on February 10th.

In the Senate, on February 1st, Mr. Brown, of Missouri, offered the following resolution, which was agreed to:

*Resolved*, That the joint Committee on Reconstruction be directed to inquire into the expediency of amending the Constitution of the United States so as to declare with greater certainty the power of Congress to enforce and determine by appropriate legislation all the guaranties contained in that instrument, and more especially, first, that which recites the people, without distinguishing them by color or race, as those who are to choose Representatives; second, that which assures the citizens of each State all privileges and immunities of citizens in the several States; third, that which enjoins upon the United States the guaranty to every State in the Union of a republican form of government.

In the Senate, on February 10th, Mr. Wilson, of Massachusetts, offered the following resolution, which was agreed to:

*Resolved*, That the Committee on Reconstruction be directed to inquire into and report how far the States lately in rebellion, or any of them, have complied with the terms proposed by the President as conditions precedent to their resumption of practical relations with the United States, which terms and conditions were as follows, namely:

1. That the several State constitutions should be amended by the insertion of a provision abolishing slavery.
2. That the several State conventions should declare null and void the ordinances of secession and the laws and decrees of the Confederacy.
3. That the several State Legislatures should ratify the amendment to the Federal Constitution abolishing slavery.
4. That the rebel debt, State and Confederate, should be repudiated.
5. That civil rights should be secured by laws applicable alike to whites and blacks.

In the House, on December 14th, Mr. Wilson, of Iowa, offered the following resolution:

*Resolved*, That all papers which may be offered relative to the representation of the late so-called Confederate States of America, or either of them, shall be referred to the joint committee of fifteen without debate, and no members shall be admitted from either of said so-called States until Congress shall declare such States or either of them entitled to representation.

Numerous points of order were raised, which were overruled by the Speaker, and the resolution was adopted—yeas 107, nays 56.

On December 18th, Mr. Baker, of Illinois, offered the following preamble and resolution, which was referred to the Committee on Reconstruction:

*Whereas*, class rule and aristocratic principles of government have burdened well-nigh all Europe with enormous public debts and standing armies, which press as a grievous incubus on the people, absorbing



their substance, impeding their culture, and impairing their happiness; and whereas the class rule and aristocratic element of slaveholding which found a place in our Republic has proved itself, in like manner, hurtful to our people, by degrading labor and prohibiting popular education in a large section of the country; by striving to rend our Union in fragments; by causing the blood of hundreds of thousands of patriots to flow, and by compelling the people to impose on themselves a debt of European magnitude in defence of liberty, nationality, and civilization on this continent: Therefore

*Resolved* (as the sense of this House), That once for all we should have done with class rule and aristocracy as a privileged power before the law in this nation, no matter where or in what form they may appear; and that, in restoring the normal relations of the States lately in rebellion, it is the high and sacred duty of the Representatives of the people to proceed upon the true, as distinguished from the false, democratic principle, and to realize and secure the largest attainable liberty to the whole people of the Republic, irrespective of class or race.

On the same day, on a motion to refer the President's message to the respective committees in the House, Mr. Stevens, of Pennsylvania, expressed his views on the state of the country. After advancing reasons to prove it to be the duty of Congress to "create States and declare when they are entitled to be represented," he said:

"It is obvious from all this that the first duty of Congress is to pass a law declaring the condition of these outside or defunct States, and providing proper civil governments for them. Since the conquest they have been governed by martial law. Military rule is necessarily despotic, and ought not to exist longer than is absolutely necessary. As there are no symptoms that the people of these provinces will be prepared to participate in constitutional government for some years, I know of no arrangement so proper for them as territorial governments. There they can learn the principles of freedom, and eat the fruit of foul rebellion. Under such governments, while electing members to the Territorial Legislatures, they will necessarily mingle with those to whom Congress shall extend the right of suffrage. In Territories, Congress fixes the qualifications of electors; and I know of no better place nor better occasion for the conquered rebels and the conqueror to practise justice to all men, and accustom themselves to make and to obey equal laws.

"As these fallen rebels cannot at their option reënter the heaven which they have disturbed, the garden of Eden which they have deserted, and flaming swords are set at the gates to secure their exclusion, it becomes important to the welfare of the nation to inquire when the doors shall be reopened for their admission.

"According to my judgment they ought never to be recognized as capable of acting in the Union, or of being counted as valid States, until the Constitution shall have been so amended as to make it what its framers intended; and so as to secure perpetual ascendancy to the party of the Union; and so as to render our

republican government firm and stable forever. The first of those amendments is to change the basis of representation among the States from Federal numbers to actual voters. Now all the colored freemen in the slave States, and three-fifths of the slaves, are represented, though none of them have votes. The States have nineteen representatives of colored slaves. If the slaves are now free then they can add, for the other two-fifths thirteen more, making the slave representation thirty-two. I suppose the free blacks in those States will give at least five more, making the representation of non-voting people of color about thirty-seven. The whole number of representatives now from the slave States is seventy. Add the other two-fifths and it will be eighty-three.

"If the amendment prevails, and those States withhold the right of suffrage from persons of color, it will deduct about thirty-seven, leaving them but forty-six. With the basis unchanged, the eighty-three Southern members, with the Democrats that will in the best times be elected from the North, will always give them a majority in Congress and in the electoral college. They will at the very first election take possession of the White House and the halls of Congress. I need not depict the ruin that would follow. Assumption of the rebel debt or repudiation of the Federal debt would be sure to follow. The oppression of the freedmen; the reamendment of their State constitutions, and the reestablishment of slavery would be the inevitable result. That they would scorn and disregard their present constitutions, forced upon them in the midst of martial law, would be both natural and just. No one who has any regard for freedom of elections can look upon those governments, forced upon them in duress, with any favor. If they should grant the right of suffrage to persons of color, I think there would always be Union white men enough in the South, aided by the blacks, to divide the representation, and thus continue the Republican ascendancy. If they should refuse to thus alter their election laws, it would reduce the representatives of the late slave States to about forty-five, and render them powerless for evil. It is plain that this amendment must be consummated before the defunct States are admitted to be capable of State action, or it never can be.

"The proposed amendment to allow Congress to lay a duty on exports is precisely in the same situation. Its importance cannot well be overstated. It is very obvious that for many years the South will not pay much under our internal revenue laws. The only article on which we can raise any considerable amount is cotton. It will be grown largely at once. With ten cents a pound export duty it would be furnished cheaper to foreign markets than they could obtain it from any other part of the world. The late war has shown that. Two million bales exported, at five hundred pounds to the bale, would yield \$100,000,000. This



seems to be the chief revenue we shall ever derive from the South. Besides, it would be a protection to that amount to our domestic manufactures. Other proposed amendments—to make all laws uniform; to prohibit the assumption of the rebel debt—are of vital importance, and the only thing that can prevent the combined forces of copperheads and secessionists from legislating against the interests of the Union whenever they may obtain an accidental majority.

"But this is not all that we ought to do before these inveterate rebels are invited to participate in our legislation. We have turned, or are about to turn, loose four million slaves without a hut to shelter them, or a cent in their pockets. The infernal laws of slavery have prevented them from acquiring an education, understanding the commonest laws of contract, or of managing the ordinary business of life. This Congress is bound to provide for them until they can take care of themselves. If we do not furnish them with homesteads, and hedge them around with protective laws; if we leave them to the legislation of their late masters, we had better have left them in bondage. Their condition would be worse than that of our prisoners at Andersonville. If we fail in this great duty now, when we have the power, we shall deserve and receive the execration of history and of all future ages.

"Two things are of vital importance:

"1. So to establish a principle that none of the rebel States shall be counted in any of the amendments of the Constitution until they are duly admitted into the family of States by the law-making power of their conqueror. For more than six months the amendment of the Constitution abolishing slavery has been ratified by the Legislatures of three-fourths of the States that acted on its passage by Congress, and which had Legislatures, or which were States capable of acting, or required to act, on the question.

"I take no account of the aggregation of whitewashed rebels, who, without any legal authority, have assembled in the capitals of the late rebel States and simulated legislative bodies. Nor do I regard with any respect the cunning by-play into which they deluded the Secretary of State by frequent telegraphic announcements that 'South Carolina had adopted the amendment;' 'Alabama has adopted the amendment, being the twenty-seventh State,' etc. This was intended to delude the people, and accustomed Congress to hear repeated the names of these extinct States as if they were alive; when, in truth, they have now no more existence than the revolted cities of Latium, two-thirds of whose people were colonized and their property confiscated, and their right of citizenship withdrawn by conquering and avenging Rome.

"2. It is equally important to the stability of this Republic that it should now be solemnly decided what power can revive recreate and

reinstate these provinces into the family of States, and invest them with the rights of American citizens. It is time that Congress should assert its sovereignty, and assume something of the dignity of the Roman senate. It is fortunate that the President invites Congress to take this manly attitude. After stating, with great frankness, in his able message his theory, which, however, is found to be impracticable, and which I believe very few now consider tenable, he refers the whole matter to the judgment of Congress. If Congress should fail firmly and wisely to discharge that high duty, it is not the fault of the President.

"This Congress owes it to its own character to set the seal of reprobation upon a doctrine which is becoming too fashionable, and unless rebuked will be the recognized principle of our Government. Governor Perry and other provisional governors and orators proclaim that 'this is the white man's Government.' The whole copperhead party, pandering to the lowest prejudices of the ignorant, repeat the cuckoo cry, 'This is the white man's Government.' Demagogues of all parties, even some high in authority, gravely shout, 'This is the white man's Government.' What is implied by this? That one race of men are to have the exclusive right forever to rule this nation, and to exercise all acts of sovereignty, while all other races and nations and colors are to be their subjects, and have no voice in making the laws and choosing the rulers by whom they are to be governed. Wherein does this differ from slavery except in degree? Does not this contradict all the distinctive principles of the Declaration of Independence? When the great and good men promulgated that instrument, and pledged their lives and sacred honors to defend it, it was supposed to form an epoch in civil government. Before that time it was held that the right to rule was vested in families, dynasties, or races, not because of superior intelligence or virtue, but because of a divine right to enjoy exclusive privileges.

"Mr. Chairman, I trust the Republican party will not be alarmed at what I am saying. I do not profess to speak their sentiments, nor must they be held responsible for them. I speak for myself, and take the responsibility, and will settle with my intelligent constituents.

"This is not a 'white man's Government,' in the exclusive sense in which it is used. To say so is political blasphemy, for it violates the fundamental principles of our gospel of liberty. This is man's Government; the Government of all men alike; not that all men will have equal power and sway within it. Accidental circumstances, natural and acquired endowment and ability, will vary their fortunes. But equal rights to all the privileges of the Government is innate in every immortal being, no matter what the shape or color of the tabernacle which it inhabits."

An extended debate followed in Committee of the Whole on the State of the Union, relative



to the views advanced by Mr. Stevens, in which Messrs. Raymond, of New York, Spalding and Shellabarger, of Ohio, and others, delivered speeches, which there is not space here to notice.

In the House, on December 18th, Mr. Price, of Iowa, offered the following resolution, which was referred to the joint Committee on Reconstruction:

*Whereas*, policy, propriety, and duty, all require that the Representatives of a free and loyal constituency should, at the opening of the first Congress after the suppression of the rebellion, see that, in the reorganization and readmission of the States recently in arms against the Government, no possible safeguard be left unprovided which will prevent in the future a recurrence of the troubles of the past; and whereas an attempt to assume the rebel debt in some shape, and to repudiate the national debt in some manner, and also to pay for the slaves who have been made free, are among the possibilities of the future; and whereas the most effectual way of preventing either or all of these would be so to amend the Constitution of the United States as to preclude for all time to come any chance of either of these results: Therefore,

*Be it resolved*, That, in the opinion of this House, the Constitution of the United States should be so amended, and that no State which has recently been in rebellion against the General Government ought to be entitled to a representation in Congress until such State, by its Legislature or other properly constituted authority, has adopted said amendment.

Mr. Ingersoll, of Illinois, offered the following resolution, which was agreed to:

*Resolved*, That the Committee on the Militia are hereby instructed to inquire into the expediency of providing, by law, for the equitable distribution of the surplus arms of the United States among the several States which have never been in rebellion.

Mr. Thornton, of Illinois, offered the following, which was laid on the table:

*Whereas*, at the first movement toward independence, the Congress of the United States instructed the several States to institute governments of their own, and left each State to decide for itself the conditions for the enjoyment of the elective franchise; and whereas during the period of the Confederacy there continued to exist a very great diversity in the qualifications of electors in the several States; and whereas the Constitution of the United States recognizes these diversities when it enjoins that in the choice of members of the House of Representatives the electors in each State shall have the qualifications requisite for the electors of the most numerous branch of the State Legislature; and whereas, after the formation of the Constitution, it remained, as before, the uniform usage of each State to enlarge the body of its electors according to its own judgment; and whereas so fixed was the reservation in the habits of the people, and so unquestioned has been the interpretation of the Constitution, that during the civil war the late President never harbored the purpose, certainly never avowed the purpose, of disregarding it: Therefore,

*Resolved*, That any extension of the elective franchise to persons in the States, either by act of the President or of Congress, would be an assumption of power which nothing in the Constitution of the United States would warrant, and that to avoid every danger of conflict, the settlement of this question should be referred to the several States.

Mr. Stillwell, of Indiana, offered the following, which was also referred to the Committee on Reconstruction:

*Whereas*, the war for the preservation of the Union and the Constitution is now over, the absurd doctrine of secession, and its counterpart, insurrection and rebellion, have been put down by the strong arm of the Government, peace and union being the object, and that having been obtained: Therefore,

*Resolved*, That the people who have been in rebellion against the Government, and who have submitted to the laws of the United States, adopted a republican form of government, repealed the ordinance of secession, passed the constitutional amendment forever prohibiting slavery, repudiated the rebel war debt, and passed laws protecting the freedman in his liberty, the representatives of that people elected to Congress having received their certificates of election from their respective Governors should be received as members of the Thirty-ninth Congress, when they shall take the oath prescribed by Congress, known as the test oath, without any unnecessary delay.

Mr. Ashley, of Ohio, by unanimous consent, introduced a bill "to enable the loyal citizens of the United States residing in States whose constitutional governments were usurped or overthrown by the recent rebellion, after accepting certain conditions prescribed by the United States in Congress assembled, to form a constitution and State government for each of said States preparatory to resuming as States their constitutional relations to the national Government," which was read a first and second time, and referred to the joint Committee on Reconstruction, and ordered to be printed.

In the House, on December 19th, Mr. Wilson, of Iowa, from the Committee on the Judiciary, reported the following joint resolution, with an amendment to the Constitution:

*Resolved by the House of Representatives of the United States* (the Senate concurring), That the following amendment to the Constitution of the United States be, and the same hereby is, proposed to the Legislatures of the several States for ratification, namely:

ARTICLE.—No tax, duty, or impost shall be laid, nor shall any appropriation of money be made, by either the United States, or any one of the States thereof, for the purpose of paying, either in whole or in part, any debt, contract, or liability whatsoever, incurred, made, or suffered by any one or more of the States, or the people thereof, for the purpose of aiding rebellion against the Constitution and laws of the United States.

The amendment reported by the committee was as follows:

*Be it resolved by the Senate and House of Representatives of the United States in Congress assembled* (two-thirds of both Houses concurring), That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid to all intents and purposes as a part of said Constitution, namely:

ARTICLE.—No tax, duty, or impost shall be laid, nor shall any appropriation of money be made, by either the United States, or any one of the States thereof, for the purpose of paying, either in whole or in part, any debt, contract, or liability whatsoever, incurred, made, or suffered by any one or more of the States, or the people thereof, for the purpose of aiding rebellion against the Constitution and laws of the United States.

The resolution was passed by the following vote:



**YEAS**—Messrs. Alley, Allison, Ames, Anderson, James M. Ashley, Baker, Baldwin, Banks, Barker, Baxter, Beaman, Benjamin, Bidwell, Bingham, Blow, Boutwell, Boyer, Brandagee, Bromwell, Broomall, Buckland, Bundy, Chanler, Reader W. Clark, Sidney Clarke, Cobb, Conkling, Cook, Cullom, Darling, Dawes, Defrees, Delano, Deming, Dixon, Donnelly, Driggs, Dumont, Eckley, Eggleston, Eliot, Farnsworth, Farquhar, Ferry, Finck, Garfield, Grinnell, Griswold, Hale, Abner C. Harding, Hart, Hayes, Henderson, Higby, Hill, Hogan, Holmes, Hooper, Hotchkiss, Asahel W. Hubbard, Chester D. Hubbard, Demas Hubbard, John H. Hubbard, James R. Hubbell, Hulburd, Ingersoll, Jenckes, Johnson, Julian, Kasson, Kelley, Kelso, Kerr, Ketcham, Kuykendall, Lafflin, Latham, George V. Lawrence, William Lawrence, Loan, Longyear, Lynch, Marshall, Marston, Marvin, McClurg, McKee, McRuer, Mercur, Miller, Morrill, Moulton, Myers, Newell, Niblack, Noell, O'Neill, Orth, Paine, Patterson, Perham, Phelps, Pike, Plants, Price, Radford, Samuel J. Randall, William H. Randall, Raymond, Alexander H. Rice, John H. Rice, Rollins, Ross, Rousseau, Sawyer, Schenck, Schofield, Shellabarger, Sitgreaves, Sloan, Smith, Spalding, Starr, Stevens, Stillwell, Strouse, Tabor, Taylor, Thayer, Francis Thomas, John L. Thomas, Thornton, Trowbridge, Upson, Van Aernam, Burt Van Horn, Robert T. Van Horn, Voorhees, Ward, Warner, Elihu B. Washburne, William B. Washburn, Welker, Wentworth, Whaley, Williams, James F. Wilson, Stephen F. Wilson, Windom, and Wright—150.

**NAYS**—Messrs. Brooks, Denison, Eldridge, Grider, Aaron Harding, McCullough, Nicholson, Ritter, Rogers, Shanklin, and Trimble—11.

**NOT VOTING**—Messrs. Ancona, Delos R. Ashley, Bergen, Blaine, Culver, Davis, Dawson, Glossbrenner, Goodyear, Harris, Edwin N. Hubbell, James Humphrey, James M. Humphrey, Jones, Le Blond, McIndoe, Moorhead, Morris, Pomeroy, Winfield, and Woodbridge—21.

In the House, on January 8th, Mr. Williams, of Pennsylvania, offered the following resolution:

*Resolved*, That in order to the maintenance of the national authority and the protection of the loyal citizens of the seceding States, it is the sense of this House that the military forces of the Government should not be withdrawn from those States until the two Houses of Congress shall have ascertained and declared their further presence there no longer necessary.

It was agreed to by the following vote:

**YEAS**—Messrs. Ames, Anderson, Delos R. Ashley, Baker, Banks, Baxter, Beaman, Benjamin, Bidwell, Bingham, Blaine, Boutwell, Brandagee, Bromwell, Broomall, Bundy, Reader W. Clark, Sidney Clarke, Cobb, Conkling, Cook, Cullom, Defrees, Deming, Donnelly, Driggs, Eggleston, Eliot, Farnsworth, Farquhar, Ferry, Garfield, Grinnell, Abner C. Harding, Hart, Hayes, Henderson, Higby, Hill, Holmes, Hooper, Asahel W. Hubbard, Chester D. Hubbard, John H. Hubbard, James R. Hubbell, Hulburd, Jenckes, Julian, Kelley, Kelso, Ketcham, Kuykendall, Lafflin, William Lawrence, Loan, Longyear, Lynch, Marvin, McClurg, McKee, McRuer, Mercur, Miller, Moorhead, Morrill, Morris, Moulton, Myers, O'Neill, Orth, Paine, Patterson, Plants, Price, Alexander H. Rice, Rollins, Sawyer, Schofield, Shellabarger, Spalding, Stevens, Thayer, Trowbridge, Upson, Van Aernam, Burt Van Horn, Robert T. Van Horn, Ward, Warner, Elihu B. Washburne, Welker, Williams, Stephen F. Wilson, and Windom—94.

**NAYS**—Messrs. Ancona, Bergen, Boyer, Brooks, Chanler, Davis, Dawson, Delano, Denison, Eldridge, Glossbrenner, Grider, Aaron Harding, Hogan, Edwin N. Hubbell, James M. Humphrey, Kerr, Latham, Le Blond, Marshall, Niblack, Nicholson, Noell, Sam-

uel J. Randall, Raymond, Ritter, Rogers, Ross, Smith, Stillwell, Strouse, Tabor, Taylor, Voorhees, Winfield, Woodbridge, and Wright—37.

**NOT VOTING**—Messrs. Alley, Allison, James M. Ashley, Baldwin, Barker, Blow, Buckland, Culver, Darling, Dawes, Dixon, Dumont, Eckley, Finck, Goodyear, Griswold, Hale, Harris, Hotchkiss, Demas Hubbard, James Humphrey, Ingersoll, Johnson, Jones, Kasson, George V. Lawrence, Marston, McCullough, McIndoe, Newell, Perham, Phelps, Pike, Pomeroy, Radford, William H. Randall, John H. Rice, Rousseau, Schenck, Shanklin, Sitgreaves, Sloan, Starr, Francis Thomas, John L. Thomas, Thornton, Trimble, Wentworth, Whaley, and James F. Wilson—51.

On January 9th, Mr. Broomall, of Pennsylvania, submitted the following resolution, which was referred to the Reconstruction Committee:

*Resolved*, 1. That the termination of the recent civil war has left the inhabitants of the territory reclaimed from the late usurpation in the condition of a conquered people, and without political rights.

2. That as a legitimate consequence, the relation of master and slave among them is destroyed, and that it is not within the province of civil law ever to revive it.

3. That the future political condition of these people must be fixed by the supreme power of the conqueror; and that the effect of amnesty proclamations and pardons is to relieve individuals from punishment from crime, not to confer upon them political rights.

4. That it is not the interest of the Government that these people shall remain in their present unorganized condition longer than is necessary for their own good and the good of the country.

5. That Congress should confer upon them the necessary power to form their own State governments and local institutions, but that this cannot be done until the rights of those among them, of whatever caste or color, who remained always true to their allegiance, are effectually protected and guaranteed.

6. That it is the paramount duty of the Government to guard the interests of all within the conquered territory who rendered no willing aid or comfort to the public enemy; and if this cannot otherwise be done, Congress should organize State governments composed of these alone, and forever exclude from all political power the active and willing participants in the late usurpation.

On the same day, Mr. Voorhees, of Indiana, called up the following resolutions offered some days previous, and considered by the House:

*Resolved*, That the message of the President of the United States, delivered at the opening of the present Congress, is regarded by this body as an able, judicious, and patriotic state paper.

*Resolved*, That the principles therein advocated for the restoration of the Union are the safest and most practicable that can now be applied to our disordered domestic affairs.

*Resolved*, That no States or number of States confederated together can in any manner sunder their connection with the Federal Union, except by a total subversion of our present system of government; and that the President in enunciating this doctrine in his late message has but given expression to the sentiments of all those who deny the right or power of a State to secede.

*Resolved*, That the President is entitled to the thanks of Congress and the country for his faithful, wise, and successful efforts to restore civil government, law, and order to those States whose citizens were lately in insurrection against the Federal authority; and we hereby pledge ourselves to aid, assist, and uphold him in his policy which he has



adopted to give harmony, peace, and union to the country.

Mr. Voorhees followed in support of his resolutions, and Mr. Bingham, of Ohio, replied, and moved their reference to the joint Committee on Reconstruction, which was ordered by the following vote:

YEAS—Messrs. Allison, Ames, Anderson, James M. Ashley, Baker, Baldwin, Banks, Baxter, Beaman, Benjamin, Bidwell, Bingham, Blaine, Boutwell, Brandagee, Bromwell, Broomall, Buckland, Bundy, Reader W. Clark, Sidney Clarke, Cobb, Conkling, Cook, Cullom, Davis, Dawes, Defrees, Deming, Donnelly, Driggs, Eggleston, Eliot, Ferry, Garfield, Grinnell, Hale, Abner C. Harding, Hart, Hayes, Henderson, Higby, Hill, Holmes, Hooper, Asabel W. Hubbard, Chester D. Hubbard, John H. Hubbard, James R. Hubbell, Hulburt, Ingersoll, Jenckes, Julian, Kelley, Kelso, Ketcham, Kuykendall, Laffin, Latham, William Lawrence, Loan, Longyear, Lynch, Marvin, McClurg, McKee, McRuer, Mercur, Miller, Moorhead, Morrill, Morris, Moulton, Myers, Newell, O'Neill, Orth, Paine, Patterson, Perham, Phelps, Pike, Plants, Price, Alexander H. Rice, John H. Rice, Rollins, Sawyer, Schofield, Shellabarger, Smith, Spalding, Stevens, Stillwell, Thayer, John L. Thomas, Trowbridge, Upson, Van Aernam, Burt Van Horn, Warner, Elihu B. Washburne, Wm. B. Washburn, Welker, Williams, Stephen F. Wilson, and Windom—107.

NAYS—Messrs. Ancona, Bergen, Boyer, Brooks, Chanler, Darling, Dawson, Denison, Eldridge, Glossbrenner, Grider, Aaron Harding, Hogan, James M. Humphrey, Kerr, Le Blond, Marshall, Niblack, Nicholson, Noell, Radford, Samuel J. Randall, Raymond, Ritter, Rogers, Ross, Strouse, Tabor, Taylor, Voorhees, Winfield, and Wright—32.

NOR VOTING—Messrs. Alley, Delos R. Ashley, Barker, Blow, Culver, Delano, Dixon, Dumont, Eckley, Farnsworth, Farquhar, Finck, Goodyear, Griswold, Harris, Hotchkiss, Demas Hubbard, Edwin N. Hubbell, James Humphrey, Johnson, Jones, Kasson, George V. Lawrence, Marston, McCullough, McIndoe, Pomeroy, William H. Randall, Rousseau, Schenck, Shanklin, Sitgreaves, Sloan, Starr, Francis Thomas, Thornton, Trimble, Robert T. Van Horn, Ward, Wentworth, Whaley, James F. Wilson, and Woodbridge—43.

On January 10th, Mr. Davis, of New York, offered the following resolution, which was laid over:

*Resolved*, That this House cherish the most entire confidence in the patriotism and policy of the President of the United States, and in his desire to restore the Union on the basis of permanent prosperity and peace, and that the coöperation of this House is pledged to him in support of the general policy of reconstruction inaugurated by him in the modes authorized by the Constitution, and consistent with the security of republican institutions.

On January 16th, Mr. Conkling, of New York, asked the unanimous consent of the House to offer the following resolution, which was objected to:

*Resolved*, That in reëstablishing Federal relationships with the communities lately in rebellion, so as to permit them again to participate in administering the General Government, the following are necessary and proper requirements, and ought to be secured by such measures as will render them as far as possible immutable:

1. The absolute renunciation of all the pretensions and evasions of secession as a doctrine and as a practice.

2. The repudiation both by the State and by the

national governments of all public debts and obligations, including State and municipal liabilities contracted or assumed in aid of the late rebellion, and including also all claims by or on behalf of those who were in the military or naval service of the insurgents for bounty, pay, or pensions, and all claims by persons not loyal to the United States for damages or losses suffered by reason of the rebellion, and for advances made in its aid.

3. The assurance of human rights to all persons within their borders, regardless of race, creed, or color, and the adoption of such provisions against barbarism, disorder, and oppression, as will relieve the General Government from the necessity of standing guard over any portion of our country to protect the people from domestic violence and outrage.

4. The impartial distribution of political power among all sections of the country, so that four million people shall no longer be represented in Congress in the interest of sectional aggrandizement, and, at the same time, be excluded from political privileges and rights.

5. The election of Senators and Representatives in truth loyal to the United States, and never ring-leaders in the late revolt, nor guilty of dastardly betrayals which preceded the war or of atrocities which war cannot extenuate.

On the 22d, Mr. Grider, of Kentucky, offered the following resolutions, which were referred to the joint Committee on Reconstruction:

*Resolved*, That the United States Government grants the power peaceably, or if necessary by arms, "to enforce the laws, suppress insurrection, and repel invasion;" but the General Government cannot by any action whatever destroy itself nor the State governments; nor can the State governments destroy either, or legally disturb the harmony of the whole. All the grants and powers under the Constitution are conservative, none destructive; wherefore all the States have been and are always in the Union.

*Resolved*, That when the United States Government suppressed the insurrection it only vindicated its constitutional power and preëxisting rights, and no more; and the rights and powers of the Federal and State Governments are all remitted back, and assume the same condition and relations sustained before the insurrection, and (except so far as altered or amended) remain unimpaired and in full force and virtue.

*Resolved*, That the law of Congress apportioning representatives to the several States (including the insurrectionary States) under the census of 1860, is constitutional and valid, and that members of Congress from all the States, regularly elected under said law, are entitled forthwith to their seats upon taking the oath of office to support the Constitution of the United States.

*Resolved*, That as a generous kindness and cordial forgiveness consistent with right, now peace exists, are the highest attributes of our nature, and as we must have "one Government, one Constitution, and one people," the glory, protection, and safety of all—cherishing these feelings, we say it is untimely, unjust, and impolitic to insist upon amendments to the Constitution to operate upon all until all are represented in the House and Senate.

*Resolved*, That it is illogical and unconstitutional to hold that States are in the Union to vote for constitutional amendments, and yet not entitled to representation in Congress.

*Resolved*, That to tax any State by Congress, and to refuse to the people representation, is contrary to the first principles of the American Government, and is inconsistent with the constitutional and equal rights of all the people.

On January 22d, Mr. Stevens, from the joint



Committee on Reconstruction, reported the following joint resolution :

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of both Houses concurring), That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States ; which, when ratified by three-fourths of the said Legislatures, shall be valid as part of said Constitution, namely :*

ARTICLE —. Representatives and direct taxes shall be apportioned among the several States which may be included within this Union according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed; *Provided*, That whenever the elective franchise shall be denied or abridged in any State on account of race or color, all persons of such race or color shall be excluded from the basis of representation.

On the question of ordering the joint resolution to be engrossed and read a third time, Mr. Stevens said :

"There are twenty-two States whose Legislatures are now in session, some of which will adjourn within two or three weeks. It is very desirable, if this amendment is to be adopted, that it should go forth to be acted upon by the Legislatures now in session. It proposes to change the present basis of representation to a representation upon all persons, with the proviso that wherever any State excludes a particular class of persons from the elective franchise, that State to that extent shall not be entitled to be represented in Congress. It does not deny to the States the right to regulate the elective franchise as they please; but it does say to a State, 'If you exclude from the right of suffrage Frenchmen, Irishmen, or any particular class of people, none of that class of persons shall be counted in fixing your representation in this House. You may allow them to vote or not, as you please; but if you do allow them to vote, they will be counted and represented here; while if you do not allow them to vote, no one shall be authorized to represent them here; they shall be excluded from the basis of representation.'"

Mr. Rogers, of New Jersey, followed, saying it was the first time a proposition of this kind had ever been offered in the House; it was in violation of the main principle upon which the Revolutionary War had been conducted; its adoption would prevent any State, North or South, from allowing qualified suffrage to its colored population; it would drive every State, except where the negroes were in a majority, to allow to the negroes unqualified suffrage, and that it attempted in an indirect manner to accomplish what the party in power dare not boldly and openly meet before the people.

Mr. Conkling, of New York, followed, saying that the proposition commended itself for many reasons: First, it provided for representation coextensive with taxation; second, it brought into the basis both sexes and all ages, and so counteracted and avoided, as far as possible, the casual and geographical inequalities of population; third, it put every State on an equal foot-

ing in the requirement prescribed; fourth, it left every State unfettered to enumerate all its people for representation or not, just as it pleased.

Mr. Brooks, of New York, said: "Mr. Speaker, I do not rise, of course, to debate this resolution in the few minutes allowed me by my colleague, nor, in my judgment, does the resolution need any discussion unless it may be for the mere purpose of agitation. I do not suppose that there is an honorable gentleman upon the floor of this House who believes for a moment that any movement of this character is likely to become the fundamental law of the land, and these propositions are, therefore, introduced only for the purpose of agitation. If the honorable gentleman from Pennsylvania (Mr. Stevens) had been quite confident of adopting this amendment, he would at the start have named what are States of this Union.

"The opinion of the honorable gentleman himself, that there are no States in this Union but those that are now represented upon this floor, I know full well; but he knows as well that the President of the United States recognizes thirty-six States of this Union, and that it is necessary to obtain the consent of three-fourths of those thirty-six States, which number it is not possible to obtain. He knows very well that if his amendment should be adopted by the Legislatures of States enough, in his judgment, to carry it, before it could pass the tribunal of the executive chamber it would be obliged to receive the assent of twenty-seven States in order to become an amendment to the Constitution. The whole resolution, therefore, is for the purpose of mere agitation. It is an appeal from this House to the outside constitencies that we know by the name of Buncombe. Here it was born, and here, after its agitation in the States, it will die."

Mr. Shellabarger offered the following objections to the resolution of Mr. Stevens from the Reconstruction Committee:

"1. It contemplates and provides for, and in that way, taken by itself, authorizes the States to wholly disfranchise entire races of its people, and that, too, whether those races be white or black, Saxon, Celtic, or Caucasian, and without regard to their numbers or proportion to the entire population of the State.

"2. It is a declaration made in the Constitution of the only great and free Republic in the world that it is permissible and right to deny to the races of men all their political rights, and that it is permissible to make them the hewers of wood and drawers of water, the mud-sills of society, provided only you do not ask to have these disfranchised races represented in that Government, provided you wholly ignore them in the State. The moral teaching of the clause offends the free and just spirit of the age, violates the foundation principle of our own Government, and is intrinsically wrong.

"3. The clause, by being inserted into the



Constitution, and being made the companion of its other clauses, thereby construes and gives new meanings to those other clauses; and it thus lets down and spoils the free spirit and sense of the Constitution. Associated with that clause relating to the States being 'republican,' it makes it read thus: 'The United States shall guarantee to every State in this Union a republican form of government,' provided, however, that a government shall be deemed to be republican when whole races of its people are wholly disfranchised, unrepresented, and ignored."

Numerous amendments to the report of the committee were offered, without being adopted, and the debate continued.

Mr. Bingham, of Ohio, said: "Mr. Speaker, I am for the pending amendment to the Constitution of my country, and the other amendments to which I have already referred. I am for this and for the other essential amendments indicated, for the sake of the Union, and for the sake of the Constitution of the Union. Beyond that, if I know my own mind or my own heart, I have no feeling on this question. It towers above all party consideration; it touches the life of the Republic, and not the miserable inquiry whether this or that party shall be successful in the coming contest. It is for this House to decide whether amendments are necessary to the safety of the country and the protection of the people. I am for the proposed amendment from a sense of right—that absolute, eternal verity which underlies your Constitution. The right is the law of the Republic. So it was proclaimed in your imperishable Declaration by the words, 'All men are created equal; they are endowed by their Creator with the rights of life and liberty: to secure these rights Governments are instituted among men, deriving their just powers from the consent of the governed;' and by those other words, 'These States may do what free and independent States may of right (not of *wrong*, but of *right*, do.)'"

Mr. Raymond, of New York, in opposition to the resolution, said: "Now, sir, I cannot help believing—it is an inference merely—that this proposition is reported from that committee as part of a scheme for reconstructing the Government and the Constitution of the United States—for reconstructing both on the basis of a distinct principle which has been over and over again announced in this House. That principle is simply this: that by the war which has been raging, and as a consequence of that war, the States which were in rebellion have ceased to have any existence as States; that they have ceased to be States of this Union; that they exist only as so much waste, unorganized, ungoverned territory; that the people who live upon that territory are simply 'vanquished enemies,' to be governed and disposed of by us at our sovereign will, and subject to no law but our own discretion. It is on that principle, sir, that the action proposed at this time

is to be based, if it has any basis at all. That has been the tone of the debates on the subject here.

"I deny *in toto* the fact of such subjugation. I do not believe that the war has given us any such power. On the contrary, I hold that these States have never ceased to be States in and States of the Union. And they are to-day States of the Union, and therefore entitled to all the rights conferred upon them as such by the Constitution. And we have no right and no power to exercise any authority over them which the Constitution does not confer upon us, any more than we have over the States of New England or the West."

Mr. Raymond then proceeded to examine somewhat at length this principle upon which it was proposed to rest the question. Admitting a statement advanced by Mr. Shellabarger "that a State to be such in this Union must be characterized by habitual obedience to the Constitution and laws of the United States," he urged in opposition that "habitual obedience to law may be suspended without impairing the existence of the State in the sense of public law, or as a State of the Union under the Constitution of the United States." He then maintained that the Southern States did not cease to be States in the sense of international law. Their internal political organization was never suspended. Conquest of one of the States by a foreign power, causing a suspension of habitual obedience, would not affect the existence of the State, either in the sense of public law or in the contemplation of the Constitution of the United States. Neither does an attempted usurpation necessarily of itself take a State out of the Union. There is no specific time when these States ceased to belong to the Union. We have not conquered them in any sense of subjugation to any thing else than the Constitution of the United States. There is not in the Constitution a provision for the forfeiture of State rights. The action of the executive, legislative, and judicial departments has been such as to deal with the States in no other manner than they might have been dealt with before the war began. He then reviewed the action of the President, and insisted that nothing was necessary or required for complete restoration of the practical relations of the States with the national Government but the admission of their representatives in both Houses of Congress.

A vote was taken on a motion to refer the report to the Committee of the Whole on the State of the Union, and lost—yeas 37, nays 133.

The House then ordered the report to be re-committed to the Committee on Reconstruction, without instructions.

On January 31st Mr. Stevens, from the committee, reported back the joint resolution, amended as follows:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of both Houses concurring), That the following article be proposed to the Legislatures of*



the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid as part of said Constitution, namely:

ARTICLE —. Representatives shall be apportioned among the several States which may be included within this Union according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed: *Provided*, That whenever the elective franchise shall be denied or abridged in any State on account of race or color, all persons therein of such race or color shall be excluded from the basis of representation.

The question was then taken, on agreeing to the joint resolution, and passed by the following vote:

YEAS—Messrs. Alley, Allison, Ames, Anderson, James M. Ashley, Baker, Banks, Barker, Baxter, Beaman, Benjamin, Bidwell, Bingham, Blaine, Blow, Boutwell, Brandagee, Bromwell, Broomall, Buckland, Bundy, Reader W. Clark, Sidney Clarke, Cobb, Conkling, Cook, Cullom, Darling, Davis, Dawes, Defrees, Delano, Deming, Dixon, Donnelly, Eckley, Eggleston, Farnsworth, Farquhar, Ferry, Garfield, Grinnell, Griswold, Abner C. Harding, Hart, Hayes, Hill, Holmes, Hooper, Hotchkiss, Asahel W. Hubbard, Chester D. Hubbard, Demas Hubbard, John H. Hubbard, James R. Hubbell, Hulburd, James Humphrey, Ingersoll, Julian, Kasson, Kelley, Kelso, Ketcham, Kuykendall, Laffin, George V. Lawrence, William Lawrence, Longyear, Lynch, Marston, Marvin, McClurg, McIndoe, McKee, Mercur, Miller, Moorhead, Morrill, Morris, Moulton, Myers, O'Neill, Orth, Paine, Patterson, Perham, Pike, Plants, Pomeroy, Price, Alexander H. Rice, John H. Rice, Rollins, Sawyer, Schenck, Schofield, Shellabarger, Sloan, Spalding, Starr, Stevens, Stillwell, Thayer, Francis Thomas, John L. Thomas, Upson, Van Aernam, Burt Van Horn, Robert T. Van Horn, Ward, Warner, Elihu B. Washburne, William B. Washburn, Welker, Wentworth, Williams, James F. Wilson, Stephen F. Wilson, Windom, and Woodbridge—120.

NAYS—Messrs. Baldwin, Berger, Boyer, Brooks, Chanler, Dawson, Denison, Eldridge, Eliot, Finck, Grider, Hale, Aaron Harding, Harris, Hogan, Edwin N. Hubbell, James M. Humphrey, Jenckes, Johnson, Kerr, Latham, Le Blond, Marshall, McCullough, Niblack, Nicholson, Noell, Phelps, Samuel J. Randall, William H. Randall, Raymond, Ritter, Rogers, Ross, Rousseau, Shanklin, Sitgreaves, Smith, Strouse, Tabor, Taylor, Thornton, Trimble, Voorhees, Whaley, and Wright—46.

NOT VOTING—Messrs. Ancona, Delos, R. Ashley, Culver, Driggs, Dumont, Glossbrenner, Goodyear, Henderson, Higby, Jones, Loan, McRuer, Newell, Radford, Trowbridge, and Winfield—16.

On January 23d, Mr. Henderson, of Oregon, offered the following preamble and resolutions, which were referred to the same joint committee:

*Whereas*, the Constitution and Government of the United States were ordained and established by the people of the United States, and not by States in their individual character, for the welfare and general happiness of the whole people; and whereas the doctrine that a State or States have the right to secede or withdraw from the Government at pleasure is most pernicious, and strikes at the foundation of all government, and opens wide the door for universal anarchy and ruin: Therefore,

*Resolved*, That no State or States can constitutionally or lawfully secede or withdraw from the United States Government; nevertheless, either the one or the other can, by renouncing the Constitution and laws of the United States, and by waging war against them, or adhering to their enemies in time of war, forfeit their organization all their rights and privi-

leges as a State or States, and their standing as such in the Government.

*Resolved*, That while States, by rebellion against the General Government, forfeit their rights and existence as such, the United States lose none of their rights or authority over the inhabitants of such States; and the government over all such territory which has been forfeited by States, rightfully and properly reverts to the United States.

*Resolved*, That Congress has "power to dispose of and make all needful rules and regulations respecting the territory and other property belonging to the United States."

*Resolved*, That all the territory embraced within the boundaries of what is generally known as the State of Texas ought to be, under such rules and regulations as Congress may prescribe, set apart to the use and benefit of the colored people of the United States.

*Resolved*, That the welfare of both races demands that the colored people be separated from the whites at the earliest practicable period, and that the colored population of the United States be placed upon suitable territory and protected as a dependency of the United States.

On January 30th, Mr. Kasson, of Iowa, offered the following resolutions, which were referred to the same joint committee:

*Resolved*, That the joint Committee of Fifteen on Reconstruction consider the expediency of proposing the following several propositions to each of the States lately in rebellion, for adoption by the Legislatures or conventions thereof, as a fundamental compact between each of said States and the United States, irrevocable without mutual consent:

1. No ordinance, regulation, or law shall ever be adopted by or have force within said State, which shall cause, intend, or permit the secession or withdrawal of said State, or of the citizens thereof from the Union of these States; or the release of the officers or people of said State from their obedience to the Constitution of the United States of America; or from their allegiance to the constitutional Government thereof.

2. The right to bring and defend suits in all the courts of said State, and to give testimony therein, according to the usual course of law, shall be enjoyed on equal terms by all persons resident therein, irrespective of race or color; and all forfeitures, penalties, and liabilities under any law, in any criminal or other proceeding, for the punishment of any crime or misdemeanor, shall be applied to and shall bear upon all persons equally, without any distinction of race or color.

3. The right to acquire, hold, and dispose of property, real, personal, and mixed, shall, in said State, be enjoyed on equal terms by all naturalized citizens and by all persons native-born, without distinction of race or color.

4. No law, ordinance, or regulation shall be adopted in said State, recognizing or creating any debt or liability on the part of said State, or of any municipal or corporate authority within the jurisdiction thereof, on account of credit, money, material, supplies, personal services, or other consideration whatsoever, taken by or furnished to or for the aid of any government or authority, or pretended government or authority, or military or naval force, or military or naval or civil officer, or pretended officer, heretofore set up, or acting in hostility to the Government of the United States, or so to be set up hereafter; but all such liabilities shall be void; and no tax shall ever be imposed, assessed, or collected by any authority within said State on account thereof.

On February 19th, Mr. Longyear, of Michigan, offered the following resolutions, and demanded the previous question:



*Resolved*, That in the language of the proclamation of the President of May 29, 1865, "the rebellion which was waged by a portion of the people of the United States against the properly constituted authorities of the Government thereof in the most violent and revolting form, but whose organized and armed forces have now been almost entirely overcome, has in its revolutionary progress deprived the people" of the States in which it was organized "of all civil government."

*Resolved*, That whenever the people of any State are thus "deprived of all civil government," it becomes the duty of Congress, by appropriate legislation, to enable them to organize a State government, and, in the language of the Constitution, to guarantee to such State a republican form of government.

*Resolved*, That it is the deliberate sense of this House that the condition of the rebel States fully justifies the President in maintaining the suspension of the writ of *habeas corpus* in those States.

*Resolved*, That it is the deliberate sense of this House that the condition of the rebel States fully justifies the President in maintaining military possession and control thereof, and that the President is entitled to the thanks of the nation for employing the war power for the protection of Union citizens and the freedmen of those States.

The first resolution was adopted—yeas 102, nays 36, not voting 44. The second resolution was adopted—yeas 104, nays 33, not voting 45. The third resolution was adopted—yeas 120, nays 26, not voting 36. The fourth resolution was divided at the word "*thereof*," and the first part adopted—yeas 117, nays 23, not voting 42. The second part passed—yeas 134, nays 8, not voting 40.

In the Senate, on February 6th, the resolution which had passed the House for the amendment of the Constitution, relative to the apportionment of representation, came up for consideration. Mr. Doolittle, of Wisconsin, offered the following amendment, as a substitute for the article proposed by the House:

After the census to be taken in the year 1870 and each succeeding census, Representatives shall be apportioned among the several States, which may be included within this Union, according to the number in each State of male electors over twenty-one years of age qualified by the laws thereof to choose members of the most numerous branch of its Legislature. And direct taxes shall be apportioned among the several States according to the value of the real and personal taxable property situated in each State not belonging to the State or to the United States.

Mr. Sumner, of Massachusetts, opened the debate, in opposition to the resolution of the House. It seemed to him to be nothing less than another compromise of human rights. There are four million citizens now robbed of all share in the government of their country, while, at the same time, they are taxed according to their means, directly and indirectly, for the support of the Government. The amendment of the House, by its adoption, will be a present renunciation of all power, under the Constitution, to apply the remedy for a grievous wrong, when the remedy is actually in hand; and it will hand over wards and allies through whom the Republic has been saved, and therefore our saviors, to the control of vindictive

enemies, to be taxed and governed without their consent.

The following counter-proposition was then offered by Mr. Sumner:

A joint resolution carrying out the guaranty of a republican form of government in the Constitution of the United States, and enforcing the constitutional amendment for the prohibition of slavery.

*Whereas*, it is provided in the Constitution that the United States shall guarantee to every State in the Union a republican form of government; and whereas, by reason of the failure of certain States to maintain governments which Congress might recognize, it has become the duty of the United States, standing in the place of guarantor, where the principal has made a lapse, to secure to such States, according to the requirement of the guaranty, governments republican in form; and whereas further, it is provided in a recent constitutional amendment that Congress may "enforce" the prohibition of slavery by "appropriate legislation," and it is important to this end that all relics of slavery should be removed, including all distinction of rights on account of color: Now, therefore, to carry out the guaranty of a republican form of government, and to enforce the prohibition of slavery,

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That there shall be no oligarchy, aristocracy, caste, or monopoly invested with peculiar privileges and powers, and there shall be no denial of rights, civil or political, on account of color or race, anywhere within the limits of the United States or the jurisdiction thereof; but all persons therein shall be equal before the law, whether in the court-room or at the ballot-box. And this statute, made in pursuance of the Constitution, shall be the supreme law of the land, any thing in the Constitution or laws of any State to the contrary notwithstanding.

He then further said that it was vain to expect the return of the States to the Union until that security for the future, which is found only in the equal rights of all, whether in the court-room or at the ballot-box, was obtained. This is the great guaranty, without which all other guaranties would fail. This was the sole solution of the present troubles and anxieties. He said: "The powers of Congress over this subject are as ample as they are beneficent. From four specific fountains they flow—each one sufficient for the purpose—all four swelling into an irresistible current, and tending to one conclusion: first, the necessity of the case, by which, according to the analogies of the 'Territories,' disloyal States, having no local government, lapse under the authority of Congress; secondly, the rights of war, which do not expire or lose their grasp, except with the establishment of all needful guaranties; thirdly, the constitutional injunction to guarantee a republican form of government; and, fourthly, the constitutional amendment by which Congress, in words of peculiar energy, is empowered to 'enforce' the abolition of slavery 'by appropriate legislation.' According to the proverb of Catholic Europe, all roads lead to Rome, and so do all these powers lead to the jurisdiction of Congress over this whole subject. No matter which road you take, you arrive at the same point."

He then proceeded to show the necessity and duty of exercising the jurisdiction of Congress



"so as to secure that essential condition of a republican Government, the equal rights of all." He said: "Mr. President, such is the testimony of history, authority, and the Constitution, which binds the judgment on this occasion, leaving no alternative. Thus far, I have done little but bring the diversified testimony together and weave it into one body. It is not I who speak. I am nothing. It is the cause, whose voice I am, which speaks to you. But there are yet other things which, even at this late hour, crave to be said. And here, after this long review, I am brought back to more general considerations, and end as I began, by showing the necessity of enfranchisement for the sake of public security and public faith. I plead now for the ballot, as the great guaranty; the only sufficient guaranty—being in itself peacemaker, reconciler, schoolmaster, and protector—to which we are bound by every necessity and every reason; and I speak also for the good of the States lately in rebellion, as well as for the glory and safety of the Republic, that it may be an example to mankind.

"Let me be understood. What I especially ask is impartial suffrage, which is, of course, embraced in universal suffrage. What is universal is necessarily impartial. For the present, I simply insist that all shall be equal before the law, so that, in the enjoyment of this right, there shall be no restriction which is not equally applicable to all. Any further question, in the nature of 'qualification,' belongs to another stage of the debate. And yet I have no hesitation in saying that universal suffrage is a universal right, subject only to such regulations as the safety of society may require. These may concern (1) age, (2) character, (3) registration, (4) residence. Nobody doubts that minors may be excluded, and so, also, persons of infamous life. Registration and residence are both prudential requirements for the safeguard of the ballot-box against the nomads and Bohemians of politics, and to compel the exercise of this franchise where a person is known among his neighbors and friends. Education also, may, under certain circumstances, be a requirement of prudence, especially valuable in a Republic, where so much depends on the intelligence of the people. These temporary restrictions do not in any way interfere with the right of suffrage, for they leave it absolutely accessible to all. Even if impediments, they are such as may be easily overcome. At all events, they are not in any sense insurmountable, and this is the essential requirement of republican institutions. No matter under what depression of poverty, in what depth of obscurity, or with what diversity of complexion you may have been born, you are, nevertheless, a citizen—the peer of every other citizen, and the ballot is your inalienable right.

"Having pleaded for the freedman, I now plead for the Republic; for to each alike the ballot is a necessity. It is idle to expect any true peace while the freedman is robbed of this

transcendent light and left a prey to that vengeance which is ready to wreak upon him the disappointment of defeat. The country, sympathetic with him, will be in a condition of perpetual unrest. With him it will suffer and with him alone can it cease to suffer. Only through him can you redress the balance of our political system and assure the safety of patriot citizens. Only through him can you save the national debt from the inevitable repudiation which awaits it when recent rebels in conjunction with Northern allies once more bear sway. He is our best guaranty. Use him. He was once your fellow-soldier; he has always been your fellow-man. If he was willing to die for the Republic, he is surely good enough to vote. And now that he is ready to uphold the Republic, it will be madness to reject him. Had he voted originally, the acts of secession must have failed. Treason would have been voted down. You owe this tragical war and the debt now fastened upon the country to the denial of this right. Vacant chairs in once happy homes, innumerable graves, saddened hearts, mothers, fathers, wives, sisters, brothers, all mourning lost ones, the poor now ground by a taxation they had never known before, all testify against that injustice by which the present freedman was not allowed to vote. Had he voted, there would have been peace. If he votes now, there will be peace. Without this you must have a standing army, which is a sorry substitute for justice. Before you is the plain alternative of the ballot-box or the cartridge-box; choose ye between them."

Mr. Henderson, of Missouri, proposed to strike out all after the word "that" in the resolution, and insert the following:

The following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid to all intents and purposes as a part of the said Constitution, namely:

ARTICLE 14. No State, in prescribing the qualifications requisite for electors therein, shall discriminate against any person on account of color or race.

Mr. Fessenden, of Maine, followed, and proceeded to state the views of the committee in recommending this joint resolution. The result of leaving the Constitution as it was, without amendment, would be that, so far as the power exists in the States, it would still be exercised to deny all political rights to those who have, heretofore, been considered unfit and not in a condition to exercise them. That is, we should have, in a portion of the States, all the people represented and all the people acting, and in another portion of the States, all the people represented and but a portion of the people only exercising political rights and retaining them in their own hands. Is it not our duty to guard in some way against this? At this time no one contends that the mass of the population of the recent slave States is fit to be admitted to the exercise of the right of suffrage. The argument addressed to the committee was—What



can pass? What objection is there to basing representation on voters? First, we naturally become attached to that to which we are accustomed. It would hold out an inducement to run the ballot to an unreasonable extent. It would induce many States to change their laws and allow disfranchised whites to vote. The amendment proposed only remains. It leaves the original basis of representation where the Constitution placed it in the first instance. It accomplishes indirectly what we may not have the power to accomplish directly.

Mr. Lane, of Indiana, followed, and in his remarks considered the various plans of reconstruction proposed. Of the President's plan he said: "If the President had a right to regulate suffrage at all, he had a right to specify every condition under which suffrage should be exercised." He urged that both Presidents Lincoln and Johnson had recognized the fact that the Southern States were dead. By acts of Congress the existence of these States was totally and entirely ignored. The people have too long looked to the President for a plan of restoration. Look to Congress. It has the power, hence its duty. He said:

"We are brought to the question, Upon what safe basis can the States be restored to their constitutional relations to the United States? It cannot be done upon the basis alone of the loyal voters, for they are inconsiderable, and would be utterly overwhelmed by the rebel voters. It cannot be done by giving the rebel voters the power to control the legislation of the country. Now, suppose for one moment that you should determine that a reconstruction should take place based upon the votes of the rebels, what would be the result? What are the great questions now engaging the attention of the people, and which will engross the legislation of the country for the next half century? Questions of taxation and revenue. Do you suppose they will willingly tax themselves to pay the interest upon the immense debt created for their subjugation and overthrow?

"There are other questions you will be called upon to decide. You will have to provide a fund for the payment of your invalid pensioners. Think you that they will vote willingly to raise money to pay the pensions of your invalid soldiers when their own invalid pensioners are excluded? Can you hope for any cordial coöperation between the rebels and yourselves upon any of these great subjects of national legislation? Suppose you admit them here in the Senate, they not only vote upon all these high questions, but they counsel in reference to executive appointments; they counsel in reference to the confirmation of treaties; and their power for evil is almighty the moment you admit them with all the privileges of regularly organized and constituted States. I tremble in view of the evil consequences which would result, from the admission of rebel members, to your national debt, to the national credit, the plighted faith

of the nation to your bondholders, the plighted faith of the nation to your invalid soldiers, the plighted faith of the nation to your living and dead heroes.

"Mr. President, what do we propose to do? We see that it will not do to give power in the rebel States to the rebels. We see that the Union white men are but an inconsiderable minority, and they cannot be trusted there to organize States. Then if the States are to be organized immediately, the only question is, whether the right of suffrage shall be given to rebel white men or loyal black men. The amendment of the Senator from Missouri meets that issue squarely in the face. Whatsoever I desire to do I will not do by indirection. I trust I shall always be brave enough to do whatsoever I think my duty requires, directly and not by indirection."

The argument in favor of the proposed amendment he stated to be, that by limiting the basis of representation, Congress would induce the people of the South to give the right of suffrage to the negro. He did not believe it would have that effect; and if it would, it would be asking him to do by indirection that which as a brave and honest man he would prefer to do directly.

Mr. Hendricks, of Indiana, in opposition to the measure, said: "Then, sir, as the proposition does not rest upon population, as it does not rest upon property, as it does not rest upon voters, upon what principle does it rest? Upon what principle do Senators propose to adopt this amendment to the Constitution? I can understand it if you say that the States shall be represented in the House of Representatives upon their population; I can understand it if you say that they shall be represented upon their voters; but when you say that one State shall have the benefit of its non-voting population and another State shall not, I cannot understand the principle of equity and justice which governs you in that measure. Sir, if it does not stand upon a principle, upon what does it rest? It rests upon a political policy. A committee that had its birth in a party caucus brings it before this body, and does not conceal the fact that it is for party purposes. This measure, if you ever allow the Southern States to be represented in the House of Representatives, will bring them back shorn of fifteen or twenty Representatives; it will bring them back so shorn in their representation that the Republican party can control this country forever; and if you can cut off from fifteen to thirty votes for President of the United States in the States that will not vote for a Republican candidate, it may be that you can elect a Republican candidate in 1868. Now, sir, upon this subject I ask the attention of Senators. These are no words of mine. I will put upon the stand the most influential Republican to-day in the Congress of the United States. He says:

According to my judgment, they ought never to be recognized as capable of acting in the Union, or of



being counted as valid States, until the Constitution shall have been so amended as to make it what its framers intended; and so as to secure perpetual ascendancy to the party of the Union.

"That is the phrase of these times by which men undertake to describe their own party, 'the party of the Union.' A party that to-day says, this Union shall not be restored, a party that to-day says that eleven States shall stay out of Congress, arrogates to itself the name of 'the Union party.' Describing his party by that term, he says that the Constitution must be so amended as to secure the perpetual ascendancy of the Union party:

If they should grant the right of suffrage to persons of color, I think there would always be Union white men enough in the South, aided by the blacks, to divide the representation, and thus continue the Republican ascendancy.

"That is a little more distinct. Dropping the phrase, 'the Union party,' the head of this committee, the chieftain in the House, comes squarely out in the House of Representatives and says that the Constitution must be so amended as to secure the perpetual ascendancy of the Republican party. Mr. President, have we come to that in the Senate of the United States, that we abandon principle, that we seek no longer to base representation upon population, that we do not seek to base representation upon voters, but that we mingle the basis of representation so as to secure a party life? I hope that I shall never come to the consideration of a question of so grave importance with a partisan feeling."

Mr. Hendricks further insisted that it was a proposition the tendency of which was to place agriculture under the control and power of manufactures and commerce forever; and also was designed as a punishment on the Southern States.

Mr. Buckalew, of Pennsylvania, in opposition, said: "The amendment presents an alternative to each State in which persons of an inferior race or color may be found, whether Asiatics or Africans. In the Pacific States it may relate to the former, while in the Southern and Central States it will apply to the latter; and the alternative is that suffrage shall be extended to such race generally upon the same conditions and to the same extent that it is extended to the white race, otherwise the whole of such inferior race shall be deducted from the population of the State in assigning it Representatives in Congress. Every State in which Africans or Asiatics are found is to be subjected to a constitutional pressure in favor of indiscriminating suffrage to all races and colors of mankind found within its borders. If it refuse or neglect to establish such indiscriminating suffrage, it is to pay the penalty in a loss of power in the Federal Government. And it is to be observed that even where the disfranchisement is but partial, the whole race, and not merely the part disfranchised, is to be deducted from the population of the State in assigning it Representatives.

"Now, one of two things must happen in a State in case this amendment be adopted. Negro or Asiatic suffrage must be accepted, or the State will be stripped of a portion of the power which she now holds under the Constitution. This is, therefore, a penal amendment. While it assumes to leave the State free to regulate suffrage for itself, it imposes a penalty upon it if it decide in a particular way. No matter how strong, or even imperative, may be the reasons against lowering the standard of suffrage in a State to the capacity of the negro or Chinaman, the State must do it or be stripped of the constitutional right to full representation which she now holds. It is virtually a decision by Congress that to withhold negro suffrage to any extent, or for any cause, is criminal and justly obnoxious to punishment, and that that punishment shall be imposed by three-fourths of the States upon the remainder by means of a constitutional amendment."

He then urged as general objections to the measure that eleven States were unrepresented in the Senate and House; the probability that any amendment made at that time would be a partisan one; that members of Congress were not chosen with reference to the subject of constitutional amendment; that whatever amendments were now proposed by Congress were to be submitted to Legislatures, and not to popular conventions in the States, and most of those Legislatures were to be the ones then in session; and that in thus substituting amendments a dispute was invited on the question of legislative assent necessary to their adoption.

Mr. Sumner, of Massachusetts, again took the floor, and thus alluded to the general subject of reconstruction, which had been largely discussed by previous speakers:

"The question before us, even in its simplest form, is of incalculable importance; but it has an added interest, inasmuch as it opens the whole vast subject of reconstruction. Into this field I shall not be tempted at this time, except to express a short opinion on the general principles we should seek to establish. Treason must be made odious, and to this end power must be secured to loyal fellow-citizens. In doing this, two indispensable conditions cannot be forgotten: first, all who have been untrue to the Republic must for a certain time, constituting the *transition period*, be excluded from the partnership of government; and, secondly, all who have been true to the Republic must be admitted into the partnership of government, according to the sovereign rule of the Constitution, which knows no distinction of color. Following these two simple commandments, there will be safety and peace, together with power and renown. Neglecting these two simple commandments, there must be peril and distraction, together with imbecility and dishonor. In the one way, reconstruction will be easy; in the other way, it will in any just sense be impossible. It may seem for the moment to succeed; but it must fail in the end.



This is all I have to say at present on reconstruction, and I turn at once to the precise question before us." He then remarked:

"The proposition now before you is the most important ever brought into Congress, unless, perhaps, we may except the amendment abolishing slavery, and to my mind it is the most utterly reprehensible and unpardonable. The same sentiment which led us to hail the abolition of slavery with gratitude as the triumph of justice, should make us reject with indignation a device to crystallize into organic law the disfranchisement of a race. It is with infinite regret that I differ from valued friends about me, but I cannot do otherwise. I bespeak in advance their candor, and most cheerfully concede to all from whom I differ the same indulgence which I claim for myself. In exposing such an attempt, I must speak frankly, as on other occasions, in exposing the crime against Kansas, or the infamy of that enactment which turned the whole North into a hunting-ground, where man was the game. The attempt now is on a larger scale, and is more essentially bad than the crime against Kansas or the Fugitive Slave Bill. Such a measure, so obnoxious to every argument of reason, justice, and feeling, so perilous to the national peace, and so injurious to the good name of the Republic, must be encountered as we encounter a public enemy. There is no language which can adequately depict its character. Thinking of it, I am reminded of those words of Chatham, where he held up to undying judgment a measure of the British ministry, which I think had already received the sanction of the House of Commons as the present attempt has already received the sanction of the House of Representatives. Chatham did not hesitate, nor did he tame his words, but exclaimed:

I am astonished, shocked, to hear such principles confessed; to hear them avowed in this House or in this country; principles equally unconstitutional, inhuman, and unchristian. I call upon you to stamp upon them an indelible stigma of the public abhorrence.

"Then, rising to still higher flight, he exclaimed:

My lords, I am old and weak, and at present unable to say more; but my feelings and indignation were too strong to have said less. I could not have slept this night in my bed, nor reposed my head on my pillow, without giving this vent to my eternal abhorrence of such preposterous and erroneous principles.

"But what was the measure which thus aroused the veteran orator compared with that which is now before us? It was only a transient act of wrong, small in its proportions, which he denounced. I am to denounce an act of wrong permanent in its influence, colossal in its proportions, operating in an extensive region, affecting millions of citizens, positively endangering the peace of the country, and covering its name with dishonor. Such is the character of the present attempt. I exhibit it as I see it. Others may not see it so. The British

ministry did not see the measure which Chatham denounced as he saw it, and as history now sees it. Of course Senators would not support the present proposition if they thought it disgraceful; nor would the British ministry have supported that earlier proposition had they thought it disgraceful. Unhappily, they did not think so; but I trust you will be warned by their example.

"With the eloquence of Chatham, another person from his place in the House of Lords held up to reprobation that apprentice system, which, under the sanction of both Houses of Parliament, followed emancipation in the British West Indies. I refer to Brougham. He did not hesitate to exclaim: 'Prodigious, portentous injustice!' and then continuing, he exclaimed again: 'The gross, the foul, the outrageous, the incredible injustice of which we are daily and hourly guilty toward the whole of the ill-fated African race!' But how small was the injustice which aroused his reprobation compared with that which you are now asked to perpetuate in constitutional law! The wrong which he arraigned was against eight hundred thousand persons in distant islands, to whom the people of Great Britain were bound by no ties of gratitude, and who were to them only fellow-men. The wrong which I now arraign is against four million persons, constituting a considerable portion of the 'people' of the United States, to whom we are bound by ties of gratitude, and who are to us fellow-citizens.

"From the moment I heard this proposition first read at the desk, I have not been able to think of it without pain. The reflection that it might find a place in the Constitution, or even that it might be sanctioned by Congress, is intolerable."

He then proceeded in an argument for the rejection of the proposition, which the Senator thus recapitulated:

"Following it from the beginning you have seen, first, how this proposition carries into the Constitution itself the idea of inequality of rights, thus defiling that unspotted text; secondly, how it is an express sanction of the acknowledged tyranny of taxation without representation; thirdly, how it is a concession to State rights at a moment when we are recovering from a terrible war waged against us in the name of State rights; fourthly, how it is the constitutional recognition of an oligarchy, aristocracy, caste, and monopoly, founded on color; fifthly, how it petrifies in the Constitution the wretched pretension of a white man's Government; sixthly, how it assumes what is false in constitutional law, that color can be a 'qualification' for an elector; seventhly, how it positively ties the hands of Congress in fixing the meaning of a republican government, so that under the guaranty clause it will be constrained to recognize an oligarchy, aristocracy, caste, and monopoly, founded on color, together with the tyranny of taxation without representation,



as not inconsistent with such a government; eighthly, how it positively ties the hands of Congress in completing and consummating the abolition of slavery according to the second clause of the constitutional amendment, so that it cannot for this purpose interfere with the denial of the elective franchise on account of color; ninthly, how it installs recent rebels in permanent power over loyal citizens; and, tenthly, how it shows forth in unmistakable character as a compromise of human rights, the most immoral, indecent, and utterly shameful of any in our history. All this you have seen, with pain and sorrow, I trust. Who that is moved to sympathy for his fellow-man can listen to the story without indignation? Who that has not lost the power of reason can fail to see the cruel wrong?

"And now the question occurs, what shall be done? To this I answer, reject at once the pending proposition; show it no favor; give it no quarter. Let the country see that you are impatient of its presence. But there are other propositions in the form of substitutes. For any one of these I can vote. They may differ in efficiency; but there is nothing in them immoral or shameful. There is, first, the proposition to found representation on voters instead of population, and, secondly, the proposition to secure equality in political rights by constitutional amendment or by act of Congress."

Mr. Fessenden, of Maine, followed, in reply to the objections which had been urged, saying: "The Senator from Massachusetts makes several points against this proposition, to which my answer is the same. His first point is, that it recognizes 'the idea of inequality of rights founded on race or color.' I deny *in toto* the correctness, or even the plausibility to a man of sense, of any point that he has raised on the subject. There is not one of them that is tenable; and more than that, there is not one of them but what is just as tenable against the proposition he is in favor of, to found representation on voters, as this. What lawyer in the world ever heard that a denial is an admission? What lawyer ever heard that a penalty is a permission? By this proposition we say simply this: 'If in the exercise of the power that you have under the Constitution you make an inequality of rights, then you are to suffer such and such consequences.' What sane man could ever pretend that that was saying, 'Make an inequality of rights and we will sanction it?' We do not deny, nobody can deny that the power may be thus exercised. What we say by this amendment is, 'If you attempt to exercise it in this wrongful way, you create an inequality of rights; and if you do create an inequality of rights—not we, but you—if you undertake to do it under the power which exists in the Constitution, then the consequence follows that you are punished by a loss of representation.' That is all there is in it. Does not the same thing follow with reference to the proposition to base representation upon voters? Suppose we

put it upon voters; what is the consequence? What have they got to do. If they do not admit colored men to vote, they lose their representation. If they do admit them to vote, they have the representation. The effect is precisely the same in both cases, only in one case we put it in a different form, and say directly, 'If you do make this distinction, founding it on population, then this consequence will follow.'"

The amendment offered by Mr. Henderson was rejected by yeas 10, nays 37.

Mr. Sumner modified his amendment so as to read, after the enacting clause, as follows:

That in all States lately declared to be in rebellion there shall be no oligarchy, aristocracy, caste, or monopoly invested with peculiar privileges and powers; and there shall be no denial of rights, civil or political, on account of color or race, but all persons shall be equal before the law, whether in the courtroom or at the ballot-box. And this statute, made in pursuance of the Constitution, shall be the supreme law of the land, any thing in the Constitution or laws of any such State to the contrary notwithstanding.

It was then rejected—yeas 8, nays 39.

Mr. Clark, of New Hampshire, offered the following amendment:

But whenever the elective franchise shall be denied or abridged in any State in the election of Representatives to Congress or other offices, municipal, State, or national, on account of race, color, or descent, or previous condition of servitude, or by any provision of law not equally applicable to all races and descents, all persons of such race, color, descent, and condition, shall be excluded from the basis of representation as prescribed in the second section of the first article of the Constitution.

It was adopted by the following vote:

YEAS—Messrs. Anthony, Brown, Chandler, Clark, Conness, Cragin, Creswell, Fessenden, Foster, Grimes, Harris, Henderson, Howard, Howe, Lane of Indiana, Morgan, Morrill, Nye, Poland, Pomeroy, Sprague, Sumner, Trumbull, Wade, Willey, Wilson, and Yates—26.

NAYS—Messrs. Buckalew, Cowan, Davis, Dixon, Doolittle, Guthrie, Hendricks, Johnson, Kirkwood, Lane of Kansas, McDougall, Nesmith, Norton, Riddle, Saulsbury, Sherman, Stewart, Stockton, Van Winkle, and Williams—20.

ABSENT—Messrs. Foot, Howard, Ramsey, and Wright—4.

Other amendments were offered and rejected, when the resolution was reported from the committee to the Senate, and Mr. Clark's amendment withdrawn.

On March 9th a vote was taken on the joint resolution as it came from the House, as follows:

YEAS—Messrs. Anthony, Chandler, Clark, Conness, Cragin, Creswell, Fessenden, Foster, Grimes, Harris, Howe, Kirkwood, Lane of Indiana, McDougall, Morgan, Morrill, Nye, Poland, Ramsey, Sherman, Sprague, Trumbull, Wade, Williams, and Wilson—25.

NAYS—Messrs. Brown, Buckalew, Cowan, Davis, Dixon, Doolittle, Guthrie, Henderson, Hendricks, Johnson, Lane of Kansas, Nesmith, Norton, Pomeroy, Riddle, Saulsbury, Stewart, Stockton, Sumner, Van Winkle, Willey, and Yates—22.

ABSENT—Messrs. Foot, Howard, and Wright—3.

Two-thirds of the Senate having failed to vote for it, it was not agreed to.



Previously, in the House, on February 20th, Mr. Stevens, of Pennsylvania, from the joint Committee of Fifteen, made the following report:

Concurrent resolution concerning the insurrectionary States.

*Be it resolved by the House of Representatives* (the Senate concurring), That in order to close agitation upon a question which seems likely to disturb the action of the Government, as well as to quiet the uncertainty which is agitating the minds of the people of the eleven States which have been declared to be in insurrection, no Senator or Representative shall be admitted into either branch of Congress from any of said States until Congress shall have declared such State entitled to such representation.

Mr. Grider, of Kentucky, presented the following minority report, which was read:

The minority of the Committee on Reconstruction on the part of the House, beg leave to report that said committee have directed an inquiry to be made as to the condition and loyalty of the State of Tennessee. There has been a large amount of evidence taken, some part of it conducing to show that at some localities occasionally there have been some irregularities and temporary disaffection; yet the main direction and weight of the testimony are ample and conclusive to show that the great body of the people in said State are not only loyal and willing, but anxious to have and maintain amicable, sincere, and patriotic relations with the General Government. Such being the state of the facts, and inasmuch as under the census of 1860 Congress passed a law which was approved in 1863, fixing the ratio and apportioning to Tennessee and all the other States representation; and inasmuch as Tennessee, disavowing insurrectionary purposes or disloyalty, has, under the laws and organic law of said State, regularly elected her members and Senators to the Congress of the United States, in conformity to the laws and Constitution of the United States, and said members are here asking admission; and inasmuch as the House by the Constitution is the "judge of the election, returns, and qualifications of its members," considering these facts and principles, we offer the following resolution, to wit:

*Resolved*, That the State of Tennessee is entitled to representation in the Thirty-ninth Congress, and the Representatives elected from and by said State are hereby admitted to take their seats therein upon being qualified by oath according to law.

Mr. Stevens, of Pennsylvania, objected to the reception of the minority report, saying: "I think I may say, without impropriety, that until yesterday there was an earnest investigation into the condition of Tennessee, to see whether, by act of Congress, we could admit that State to a condition of representation here, and admit its members to their seats here; but since yesterday there has arisen a state of things which the committee deem puts it out of their power to proceed further without surrendering a great principle; without the loss of all their dignity; without surrendering the rights of this body to the usurpation of another power. I call the previous question."

A series of dilatory motions followed, but the question was finally reached, and the resolution adopted by the following vote:

YEAS—Messrs. Allison, Anderson, James M. Ashley, Baker, Baldwin, Banks, Baxter, Beaman, Benjamin, Bidwell, Bingham, Blaine, Boutwell, Brandagee, Bromwell, Broomall, Buckland, Sidney Clarke, Cobb, Conkling, Cook, Cullom, Dawes, Defrees, Deming,

Donnelly, Driggs, Eckley, Eggleston, Eliot, Farnsworth, Farquhar, Ferry, Garfield, Grinnell, Griswold, Abner C. Harding, Hart, Hayes, Henderson, Higby, Holmes, Hooper, Hotchkiss, Asahel W. Hubbard, Chester D. Hubbard, Demas Hubbard, John H. Hubbard, James R. Hubbell, Hulburd, Ingersoll, Jenckes, Julian, Kelley, Kelso, Ketcham, Laffin, George V. Lawrence, William Lawrence, Loan, Longyear, Lynch, Marston, McClurg, McIndoe, McKee, McKuer, Mercur, Moorhead, Morrill, Morris, Moulton, Myers, O'Neill, Orth, Paine, Patterson, Perham, Pike, Plants, Pomeroy, Price, William H. Randall, John H. Rice, Sawyer, Schenck, Schofield, Shellabarger, Sloan, Spalding, Starr, Stevens, Thayer, John L. Thomas, Trowbridge, Upson, Van Aernam, Burt Van Horn, Ward, Warner, Elihu B. Washburne, William B. Washburn, Welker, Wentworth, Williams, Jas. F. Wilson, Stephen F. Wilson, Windom, and Woodbridge—109.

NAYS—Messrs. Bergen, Boyer, Brooks, Chanler, Coffroth, Dawson, Eldridge, Finck, Glossbrenner, Goodyear, Grider, Hale, Aaron Harding, Hogan, James M. Humphrey, Kerr, Latham, Marshall, McCullough, Newell, Niblack, Nicholson, Phelps, Radford, Samuel J. Randall, Raymond, Ritter, Rogers, Ross, Rousseau, Shanklin, Sitgreaves, Smith, Tabor, Taylor, Thornton, Trimble, Voorhees, Whaley, and Wright—40.

NOT VOTING—Messrs. Alley, Ames, Ancona, Delos R. Ashley, Barker, Blow, Bundy, Reader W. Clark, Culver, Darling, Davis, Delano, Denison, Dixon, Dumont, Harris, Hill, Edwin N. Hubbell, James Humphrey, Johnson, Jones, Kasson, Kuykendall, Le Blond, Marvin, Miller, Noell, Alexander H. Rice, Rollins, Stillwell, Strouse, Francis Thomas, Robert T. Van Horn, and Winfield—34.

In the Senate, the concurrent resolution was received from the House, and came up on the question of its consideration on February 21st, and was deferred to February 23d.

Mr. Fessenden, of Maine, said: "The resolution, it will be perceived, is nothing more or less than a legislative assertion by both Houses of Congress that they will not proceed to act upon the credentials of members from any of the States which lately constituted the so-called Confederate States until they have previously passed a law applicable to the condition of the States themselves. This, if you will allow me to say so, is in exact accordance with what Congress has indicated as its intention heretofore. It was indicated in the last Congress, and it was indicated in a resolution which came directly from the Committee on the Judiciary, of which the honorable Senator from Maryland (Mr. Johnson) was a member, and, as I am informed, with his concurrence, not as applicable to all the States, but as applicable to one of the States. It is before me in a few words, and I will read it. At the close of the report that was made to the Senate on the 18th of February to accompany joint resolution S. No. 117, on the subject of the credentials of members claiming seats from Louisiana, the last paragraph, which I will read, is:

The persons in possession of the local authorities of Louisiana having rebelled against the authority of the United States, and her inhabitants having been declared to be in a state of insurrection in pursuance of a law passed by the two Houses of Congress, your committee deem it improper for this body to admit to seats Senators from Louisiana, till by some joint action of both Houses there shall be some recognition



of an existing State government, acting in harmony with the Government of the United States, and recognizing its authority.

Mr. Johnson: "Is that the report of the 18th of February, 1865?"

Mr. Fessenden: "Yes, sir. Now, there is the principle laid down in so many words, and agreed to, as I understand, specifically by the honorable Senator from Maryland, whose authority we all acknowledge, that, inasmuch as the State of Louisiana had been declared to be in a state of rebellion, and intercourse with it had been suspended by a law of Congress, therefore Congress could not properly admit members from that State, except in pursuance of a law of Congress providing for her peculiar condition—I do not pretend to repeat the exact language. When that resolution was introduced into Congress, did it occasion any discussion upon that principle or the propriety of its application? Was there any objection made to it here? Was there any objection made anywhere? Did not everybody recognize the propriety of that exact expression of opinion as applied to the proposition to admit Senators and Representatives from such a State? I was not here at the time, but I am informed that there was no discussion upon that particular subject, and no fault was found with the particular course that was thus indicated, so far, at least, as this principle was concerned.

"How does it happen, then, that when a similar resolution is proposed, one applicable to other States that have been precisely in the like condition, there seems to be so much sensitiveness in the minds of gentlemen? How can it be accounted for that what was thought to be so proper as applicable to the State of Louisiana should be so improper as applicable to these other States? It is for gentlemen to answer.

"Let us look a little further, and see what has occurred since that time, because I feel somewhat sensitive on this subject. Charges have been made with reference to the committee of which I have the honor to be a member that have somewhat affected my view of my own condition, and I feel compelled not only to vindicate that committee, but to vindicate the action of Congress with reference to it."

Mr. Fessenden then read an extract from a speech of President Johnson, in which allusions were made to the committee as "an irrepressible central directory," etc., and said: "It will be noticed, Mr. President, in the extract which has been read there are very serious charges made. One is that there is an effort being made to concentrate all power in a few, and that that power is lodged in the hands of a sort of central committee, and the words which immediately follow furnish a sufficient indication of what the President meant. I think the President of the United States could hardly have considered with care the nature of the resolution under which we have been acting as a committee of this body; he could hardly have looked

at its history, and hardly have understood its meaning.

"The resolution as it finally passed stood in this way:

That a joint committee of fifteen members shall be appointed, nine of whom shall be members of the House and six members of the Senate, who shall inquire into the condition of the States which formed the so-called Confederate States of America, and report whether they, or any of them, are entitled to be represented in either House of Congress.

"What was that? Simply the appointment of a joint committee in this unexampled condition of the country, with a war of four years (in which eleven States had been engaged against the United States) just closed, after all the expenditure of blood and treasure that had been made in the country, at the first meeting of Congress which occurred after actual hostilities in the field had ceased—for what purpose? To inquire into the condition of those States and report whether they were entitled to representation. That simple provision for acquiring information in order to enable the House and the Senate to judge understandingly upon this important question affecting themselves has been represented by gentlemen and by newspapers as assuming authority which did not belong to Congress. I have nothing to say in this connection with reference to the President. I am speaking now of the complaints that were made of that resolution, a simple resolution to inquire into the condition of those States and report whether Representatives and Senators could be admitted from them. Sir, in this were we doing any thing more than our duty? Was it not advisable? It was not a single question relating, as we understood it, to the credentials of members. It was believed that at the very foundation of the whole question of the admission of members lay this great point, whether the condition of those States was such as to render the admission of those members safe. I have had this extract from the President's speech read simply to show what everybody must admit with regard to it. The last paragraph of the extract that I sent to the Chair and had read, is this:

I am free to say to you, as your Executive, that I am not prepared to take any such position. I said in the Senate in the very inception of the rebellion that States had no right to go out and that they had no power to go out. That question has been settled, and I cannot turn around now and give the lie direct to all I profess to have done in the last five years. I can do no such thing. I say that when they comply with the Constitution, when they have given sufficient evidence of their loyalty and that they can be trusted, when they yield obedience to the law, I say extend to them the right hand of fellowship, and let peace and union be restored.

"So say I, and so say all. When they do that, let these consequences follow. There is no difference on that point. The President himself, instead of saying any thing different from us, says when they have complied with these conditions then they ought to be admitted. He himself in his speech makes that a preliminary



to examining the question of credentials to see whether men come here properly accredited. Lest gentlemen on the other side should have failed to notice this sentence, let me read it again. It is peculiarly expressive:

I say that when they comply with the Constitution, when they have given sufficient evidence of their loyalty, and that they can be trusted, when they yield obedience to the law, I say extend to them the right hand of fellowship, and let peace and union be restored.

"That, it seems, is a matter into which somebody has a right to inquire. I should like to know if the Congress of the United States have not a right to ask these very questions and be satisfied upon them before they admit men as Senators and Representatives in the several bodies which constitute Congress. If Congress have a right to inquire (and I agree with the President entirely on the subject), what have we done more than to inquire? When Congress appointed this committee with power to examine into the condition (for that is all there was of it) of these so-called Confederate States and report whether they were in a fit condition to be represented by Senators and Representatives, what did we do more than simply to endeavor to carry out precisely what the President has laid down in his speech as preliminary to the admission of Senators and Representatives? I state this in order that the country may understand what all this noise has been about in reference to the appointment of this committee.

"But the President undertakes to say that legislative power has been granted to this committee; that the power of legislation which Congress possesses—he calls it 'the power of legislation'—over the question of the admission of Senators and Representatives has been passed out of the hands of Congress and given to a central power—a central directory, which chooses to exercise this power. Sir, is this committee of fifteen any thing more than the servant of Congress? Is any committee, either joint or special, which is appointed, any thing more than the mere servant of Congress? Can any member of it, or the whole of it, set up its will for a single day or a single hour or a single moment against the will of the body which constituted it? We were appointed for a special purpose, to make inquiries, and report to Congress the result of our inquiries; and for what reason? What was the great reason? Simply that neither branch, acting without sufficient information, might take a course from which the other branch would differ, and thus bring about a collision between the two bodies which constitute the Congress. Under those circumstances, is it quite fair to designate the committee of fifteen as a central directory, as a power assuming to judge and to decide questions which belong to the bodies which the committee represents? Is it quite fair to designate it as a central power sitting here with a view to get up the government of a few against

the government of the many? I can understand the allusion in no other way; and if any gentleman can place a different construction upon it, I should like to have him do so. I am unwilling, myself, individually, to rest under such an imputation. I have the honor to be one of that committee. I never understood myself as any thing but the servant of Congress, or of the body which sent me there, to endeavor to obtain information and to come to a conclusion upon which the body might act understandingly; and that we have not come to a conclusion yet, is only a proof that the question is a much larger one than gentlemen might have supposed, and involves more consideration and more examination than might possibly have been apparent to those who looked only upon the surface, and judged only from what they could gather from common report.

"If the Executive—and I mean to speak of the President with respect, because I entertain for him respect—has an idea that the several points which he has suggested are preliminaries to the admission of Senators and Representatives from these States, the question arises, who is to exercise that power of judgment? Does it belong to us, if a Senator presents himself here, to ascertain in the first place if those conditions have been complied with on the part of these States, or does it belong to him?

"If I have mistaken the view of the President, I shall be very glad to be corrected by him or by anybody that is authorized to speak for him; and one would think there are plenty of those gentlemen about; but what he says is, substantially, in my judgment, this: 'I have come to the conclusion that these States are in the Union to be represented in the councils of the nation, and particularly is the State of Tennessee. I admit that certain things must be done; they must show their loyalty, but I am the person to decide upon whether those things have been done; whether that loyalty has been shown; whether that condition has been complied with, and all other conditions that I may judge necessary, and when I have decided that question with reference to these States, Congress may take up the question of the elections, qualifications, and returns of the members who present themselves to them, inquire into that, and have nothing to do but to settle the question whether they come within the description of the Constitution or not.'

"If the President does not mean that, then the question is for Congress to decide. If he does mean that, the issue of which I spoke is directly presented to Congress. For myself, I could not rest, as a Senator of the United States, content with my position; I could not believe that I was faithful to the great interests committed to my care, connected with others as I am, by the State which sent me here, if I yielded for a moment to the idea, come from what source it may, that anybody but Congress had the right with reference to Senators and Repre-



sentatives to settle preliminarily the question whether the States that sent them here were entitled to have Senators and Representatives or not.

"Sir, we should be yielding every thing, we should have no power left, we should be less than children, we should hardly be entitled to call ourselves slaves, if a question upon which the very existence of these bodies, the Senate and House of Representatives may depend, the question of whether a State, or a body of men, or an organization anywhere is entitled to representation here, is not for us to settle and us alone, so far as those proposed members are concerned, without any dictation from anybody, ay, without any advice from anybody. The President is by the Constitution authorized and required to give information to Congress from time to time on the state of public affairs; but upon a question affecting the representation in the Senate or in the House of Representatives, he is not competent even to advise us, from his position and from the necessity that exists that all these different branches of the Government should be entirely independent of each other I am free to say I should consider myself as sitting in a body bound hand and foot, having no power, no rights, no independence, no character, if I thought I was compelled to ask the opinion of any one with regard to the right of a Senator to sit upon this floor and the right of the State which sent him here to be represented upon this floor. It is a question for us, and only for us.

"Looking, therefore, upon these two arguments in this part of the veto message as I did, one distinctly indicating that no legislation affecting the States which have recently been in rebellion would meet with the approval of the President while those States were not represented here, the other that all the consideration that we as members of the Senate had a right to give to this subject was to look at the papers presented and say whether men coming here had the proper credentials from somebody, leaving the question to be settled at the other end of the avenue whether or not the States themselves had a right to be represented on this floor—while I considered those two things as not only shadowed forth, but distinctly stated in the veto message, I could not hesitate for a single instant to say that where such reasons were given for the veto of a bill, I could not, without sacrificing all my self-respect, and what is of more consequence as far as I am concerned, sacrificing all the rights and honors of the body of which I am a member, vote to sustain that message, whatever good reasons might be given in other parts of it. Under those circumstances, and, I will confess, influenced by that particular message, influenced by those views and statements of the President, the committee of fifteen, which is so denounced, saw fit to propose distinctly the proposition to both Houses of Congress which is now upon your table; and it is this

That in order to close agitation—

To have no more dispute about it among ourselves as to our own action—

upon a question which seems likely to disturb the action of the Government, as well as to quiet the uncertainty which is agitating the minds of the people of the eleven States which have been declared to be in insurrection, no Senator or Representative shall be admitted into either branch of Congress from any of said States until Congress shall have declared such State entitled to such representation.

"That, sir, is resuming the original proposition, substantially. Having been instructed to inquire into the condition of these States, and to report whether they, or any of them, were entitled to representation, and not being prepared to report on that question, we propose to the House and the Senate this resolution, providing that—

No Senator or Representative shall be admitted into either branch of Congress from any of said States until Congress shall have declared such State entitled to such representation.

"Originally, I did not think that resolution was necessary; but now I do. Why? In order that Congress may assert distinctly its own rights and its own powers; in order that there may be no mistake anywhere, in the mind of the Executive or in the minds of the people of this country; that Congress, under the circumstances of this case, with this attempted limitation of its powers with regard to its own organization, is prepared to say to the Executive and to the country, respectfully but firmly, over this subject they have, and they mean to exercise, the most full and plenary jurisdiction; they will be limited with regard to it by no considerations arising from the views of others than themselves, except so far as those considerations may affect the minds of individuals; we will judge for ourselves, not only upon credentials and the character of men and the position of men, but upon the position of the States which sent those men here. In other words, to use the language of the President again, when the question is to be decided whether they obey the Constitution, whether they have a fitting constitution of their own, whether they are loyal, whether they are prepared to obey the laws as a preliminary, as the President says it is, to their admission, we will say whether those preliminary requirements have been complied with, and not he, and nobody but ourselves.

"It was my very strong opinion and impression with reference to this matter that induced me to ask the Senate to take up this question now. I deem it as transcending in importance the question of the amendment of the Constitution which has been under discussion for several days. I deem that, in the present condition of the country, situated as we are, it transcends in importance every question. Where are we, sir? Let us allow ourselves to consider for a moment. If we are not to inquire into and be satisfied of the condition of these States, if we are not to inquire and ascertain whether they



are or are not in such a situation that they may safely come here and govern (because when they come here they come as rulers), but if somebody else is to settle that question for us, all that Congress has to do is this: when a State chooses to go out of the Union and make war upon it, it is to provide the means to legislate; when the State has been conquered and is ready to come back again, it is to inquire of somebody else whether the State is in a condition to come back, and is to take the men who are sent here, and who may come here with credentials from a military governor appointed by the President, without a word except to inquire as to their qualifications. I supposed that Senators were somewhat in the nature of representatives of the people, although selected by the Legislatures of the States; that Senators, like Representatives, were sent here for the purpose of guarding the interests of the people, and although other officers were chosen for specific terms and exercised for the time greater power, that after all the protection of this Government must be found in its Congress; that public opinion was represented here, the public wishes were represented here, the rights of the whole people were guarded here, the money of the people was taken care of here—I mean in Congress, taking both Houses together—and that, in fact, all the essential powers of the Government, all that was to be done lies at the very foundation, every thing that was necessary in order to protect our form of government republican, and to save the liberties of the country, rested in the faithfulness of the Senators and Representatives of the United States, and in their power to judge of what was necessary in order to constitute and regulate their own bodies. But, sir, if this is not so, if they are confined simply to a mere question of papers, to a mere question of credentials, to simply taking the opinions of others as to who are entitled to seats in this body, so far as States having the right to send them here are concerned, then I consider that we are reduced to be mere creatures of circumstance, nothings, nobodies; at any time we may be overwhelmed; at any time we may lose our power; at any time we may cease to be that check, which the Constitution intends we should be, upon the Executive of the United States, and upon the other branches of the Government; at any time we may lose all of which we have been so justly proud with reference to our own condition as assigned us by the Constitution of the United States. Senators will pardon me, I hope, for speaking at such length upon that subject.

“I believe that the President is a friend of his country. I believe that he is a patriotic, devoted citizen; that he would do nothing to injure any of its institutions under any circumstances if he was aware, while doing it, of what he was doing. I believe, however, in reference to this matter that he has spoken unguardedly. His feelings in relation to the admission of Tennessee particularly, and these other States, have

carried him beyond what I believe in calmer moments and on due consideration he would be willing to go; far beyond what he himself on a calm review would find it in his power to stand by. This part of his message is not well considered.

“Mr. President, I think it will not be disputed by anybody, not even by the Senator from Maryland—and I call his attention to it—that this country has been in a state of war, decidedly in a state of war, war according to the books, war in its worst acceptation, war in the very strongest meaning of the term, without any limitation or qualification. If we have been in a state of war, the question arises—and it is a very simple one, and I think this whole thing lies in a narrow compass—is there any dispute as to what are the consequences of war? What are the consequences of successful war? Where one nation conquers another, overcomes it without qualifications, without terms, without limits, and after a bitter contest succeeds in crushing its enemy, occupying its enemy's territory, destroying its posts, what are the consequences? The Senator is perfectly familiar with the writers on international law. Let him read the chapter in the book under my hand upon ‘Acquisitions by War.’ Is there any thing more certain than that the conqueror has a right, if he chooses, to change the form of government, that he has a right to punish, that he has a right to take entire control of the nation and the people, that he has a right to exact security for the future, and such security for his own safety as he may demand; that all these rights are his, with only the limitation that he shall not abuse them and conduct them in a manner contrary to humanity, in the ordinary acceptation of the term?”

Mr. Johnson: “What is the book?”

Mr. Fessenden: “Vattel. The principle, then, is settled. Those are the consequences of successful war. We are told that we did not wage a war of conquest. Certainly we did not. Congress said precisely what it meant at the time it stated that this war was not waged for any purpose of subjugation. It was not commenced with any such idea, but if it follows that subjugation must come in order to accomplish what we desire to accomplish and what we must accomplish, it is not our fault. If subjugation becomes necessary, although that was not the idea with which the war was commenced, who can complain?”

“Now, is there any more dispute as to the next proposition, that the consequences of civil war are precisely the same? Is there any writer who does not lay it down distinctly that where a civil war, in the proper sense of the term, has existed, the consequences of that civil war, so far as the rights of the parties are concerned, are precisely the same that they are in other cases? If compelled to carry on the contest upon the same principles—as we are by the law of nations—and to treat it in all respects as a war between two independent na-



tions until the war is closed, is there a dispute that precisely the same consequences follow, precisely the same rights are obtained as would be the case in an international war? If not, let the Senator show me where he finds a distinction drawn between the consequences in the two cases. I take it these two propositions are beyond dispute; there can be no difficulty about them.

"Then the question arises, and it is only a natural one, Does our form of government change in any way the nature and inevitable legal consequences of a civil war? Is a civil war waged among us, living as we do under a written Constitution, different in any way so far as the consequences are concerned, on account of that written Constitution, from a civil war in any other nation in the world? That is a question upon which men may pause. It is very manifest to me that there can be no difference at all. And here I come to consider for a moment the argument of the honorable Senator from Maryland, because that is what I wanted to address myself to. He says that Congress can do no more than quell an insurrection; our Constitution speaks only of insurrections; and when an insurrection has existed in a State, the moment that insurrection is over the State returns to its former position; and he reads, I believe, from that clause of the Constitution which says that Congress may provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions. Now, does the Senator undertake to say in any way that that is all our Constitution gives power to do? If I understand the argument of the honorable Senator, it is this: here are State governments, and as there are State governments, and as we are living under a written Constitution, and Congress by the particular terms of that Constitution has power to provide for calling out the militia to suppress insurrections and repel invasions, therefore every thing that takes place in the way of a fight in this country, no matter what its extent, is to be considered an insurrection within the meaning of that clause. Do I understand the Senator to take that ground?"

Mr. Johnson: "I said that Congress had no authority to carry on war against a State."

Mr. Fessenden: "My answer to that is simply this: the Constitution has not specifically provided for the case of civil war; it never contemplated civil war; it would not contemplate civil war; but it provided the means to quell it by giving power to Congress to raise and support armies without stating for what objects those armies might be used; and it gave power to do every thing in fact that is necessary to be done in order to preserve and support the Government. But it speaks of insurrection. What is an insurrection? It is civil war. The Senator will hardly contend that they are synonymous terms. An insurrection, such as is mentioned and referred to in the Constitution, is not civil war; it is something

far less. The Senator will remember that Vattel—for I go no further so far as this argument is concerned—speaks of a tumult as one thing that may take place, that is, when there is a tumultuous assemblage and the laws are violated; and when that tumult assumes form and becomes a resistance to the law and to the governing authority, it is an insurrection; and when it assumes a greater form, and the laws are successfully resisted, and the sovereign power is defied by armed force, then it becomes a civil war. Is that condition of things what was meant, and all that was meant, by the clause of the Constitution giving power to call forth the militia to suppress insurrection?"

"If the Senator is right in his construction, there is no such thing as civil war under this Government, and can be no such thing; the Constitution does not provide for it; it speaks simply of 'insurrection;' and there can be none of the consequences of civil war, there can be none of the rules applicable to civil war, because the Constitution has not provided for it. Sir, this clause is of the narrowest possible limitation, and refers only to ordinary tumults carried to such an extent as to make insurrections that are perfectly familiar to us all, and the very provision of the Constitution which the Senator has quoted shows that was the understanding. The truth is, it has reference simply to the militia. It is a power—

To provide for calling forth the militia to execute the laws of the Union, suppress insurrections, and repel invasions.

"Not that Congress shall have authority to suppress insurrections, as the Senator would have read it, and repel invasions; but it may use the militia force for the purpose of suppressing insurrections and repelling invasions, meaning simply that on a sudden emergency, when there is an insurrection or invasion, Congress may call upon the militia temporarily for the purpose of effecting the object. That is all. Now, then, sir, understanding that war has existed, and that its consequences are such as I have stated, and that civil war is attended by all the consequences of other wars, even among us under the Constitution, I say that, in my judgment, a State may be utterly extinguished and swept out of existence by civil war. It is a necessary consequence if the law of nations exists among us and we are bound by its provisions. A State may forfeit its *status*. The Government may say that it has forfeited its *status*, if it pleases to say so. It may impose upon such a State punishment; it may protect itself against the future; and if, in order to protect itself against the future, the Government finds it absolutely necessary to prevent it from resuming its original position, it has the perfect power to do so. It is a necessary consequence of the principle.

"In order to constitute a State of the Union there should be a republican government; that government must be acknowledged by Congress, and that government must have the re-



quisite provisions to connect it with the Union. When that government is destroyed, when the ligature is broken, when there are no provisions whatever that connect it with the United States, it ceases to be a State of the Union from necessity. I do not say that its people pass out from under the jurisdiction of the Government; it belongs to the Union, and its people are under the authority of the Union; but as a State having rights in the Union—rights, for instance, in this Congress—when it has ceased to connect itself with the Government by its own act or in any way, it is at an end for the time being, because something more is necessary than a bare organized existence. That is the position that I assume, and I have not been able to see but that it is correct.

"Now, will the Senator deny, will any one deny, that there has been a period and a long period during which there was no connection between these Confederate States and the Government of the United States? Have not years elapsed during which no such connection existed? Was not the form of government which bound them to the Union entirely destroyed? Was not the connection obliterated? Were not all their people in rebellion? Was there any thing by which any of those States could connect itself with the Government with which it had been formerly connected, and if not, what is necessary in order to bring it back? Is it not necessary that it should be recognized by this Government? Is it not necessary that it should have a constitution which does connect it with this Government? Is it not necessary that it should place itself in a position to discharge its duties toward this Government? And when it has done that, must it not apply to the Government for admission, for reinstatement in the Union?

"This question has been argued, and argued by authority, as if we had nothing to say about it; as if these people were back again simply because they had made State constitutions. How do we know it? What proof have we? I want an answer.

"Gentlemen have been talking here from time to time and in the other House about the great abuse that these States were not admitted to representation while the Government was going on to tax them. Sir, the arms that were raised against us were never laid down until last April. From that time to December Congress was not in session. They were under the control of the military power. We came together on the first Monday of December. There had been an exhausting war, four years of deadly struggle; hundreds of thousands slain, hundreds of millions spent; a war more savage, in my judgment, on the part of the enemy we had to encounter, than has been known in modern times; in which the most savage hate was exhibited against every thing that was not of the Confederates, which was distinguished, remarkable, for its character, so distinct from all those wars that have marked modern periods.

We came together in December, and certain men presented themselves claiming to be admitted as Senators and as Representatives upon these floors. We had not been together thirty days before gentlemen contended here that they were entitled to admission upon an equality with ourselves and as parts of the governing power. It is not now ninety days since this Congress met; and before the expiration of ninety days, after this war of four years of the character that existed and with denunciations of the most bitter kind from all that people, we are told that we are perpetrating the most gross injustice because they are not already here in these seats as Senators and Representatives in Congress, and that our legislation is substantially good for nothing because they are not here.

"It is a most remarkable fact in this connection that not only have we not been together ninety days when we are called upon to admit these Senators and these Representatives, but we are called on to decide that the condition of that people is such as to render it safe, when the President himself, who calls upon us to do it, has not withdrawn his suspension of the writ of *habeas corpus* throughout that territory, but keeps his army in that territory, and when all the generals and himself at the head of all the generals tell us that it is unsafe to withdraw it, that they cannot be left to themselves, and that the army must remain and they be kept under military law.

"Mr. President, this strikes me as somewhat singular; and I say this because I want the country to understand it. Is no time to be allowed? Here, it is said, are eight million people; here is a territory embracing I do not know how many million square miles; here have been eleven States in rebellion; here has been a war of four years. Congress meets; the question is to be submitted to that Congress; and gentlemen talk here and denounce it, and the President himself denounces it, and the newspapers denounce it, and the Democracy denounce it; all raise their cry against us because within ninety days, when the President himself, as Commander-in-chief of the army, does not choose to withdraw the army from that territory, we have not put its Representatives and Senators in these seats to govern for themselves and to govern us. I allude to this fact simply for the purpose of showing how utterly false are the accusations made against Congress, come from what quarter they may, how utterly unreasonable it is to suppose that a question of this kind is to be settled in such a hurry.

"Now, sir, I have been speaking simply of the power of Congress; but it is a very different question when you come to consider what it is best to do. I assert the power in its fullest extent; I assert that by the civil war they lost all the rights which I have enumerated, and we acquired those which I have specified. I assert that they placed themselves in a position in



which they were not connected with this Union as States. I assert that they have many things to do in order to regain that position. I assert that in the mean time we have a right to govern them, govern them as Christian men and as statesmen, but to govern them because they placed themselves in a position to render it absolutely necessary that we should do so; and I assert, moreover, that they cannot come back here to occupy these seats or seats in the other House until we—no matter whether it is done by joint or several authority, so that it is conferred by Congress—be satisfied ourselves and decide that they are entitled to occupy these seats again; and that we have a right to take all the time necessary in order to give ourselves entire satisfaction on that subject, and they have no right to complain that in the mean while they are taxed without being represented, because they brought it upon their own heads. I say, moreover, that the interests and safety of this country require that we should be entirely convinced of what is due to ourselves and our constituents, and to the safety of all, before we proceed to the examination of the question of credentials and qualifications. But having said that, it is another question about what we should do; I have been talking about the right.

"I hold, then, sir, that it is best for all that as soon as possible, as soon as it can be done with any reasonable show of safety to ourselves and to the Government of this country, these States should be established in their original positions, that Senators should sit here in this branch and Representatives in the other, and that we should proceed as best we may to govern the whole country, a Government with the assent of all, all being represented. But what I wish to enter my dissent to is the doctrine that we cannot and ought not to deliberate on the subject, in our own way, in our own time, and that while we are doing it we should be denounced and the committee of which I am a member be denounced as an irresponsible tribunal, a central power; some power created to take legislation out of its proper channels, and that the majority of the Congress should be held up to the country, as it has been by gentlemen on the other side of the House, to say the least of it, and I think also impliedly by my honorable friend from Wisconsin himself, as perpetrating injustice day by day every day that passed without seeing men back in these vacant seats, or the simple question of their credentials under consideration; that this was an outrage upon States, States lately at war, States which up to this day have never sent us their constitutions or made any request whatever in proper form to be admitted or readmitted to their original condition."

Mr. Sherman, of Ohio, followed, saying: "If the meaning of the resolution is that, as a matter of convenience in the discharge of our duties, the Senators and Representatives ought to act in concert with each other in legislating upon and in discussing all propositions affecting the

right of States to representation, surely it is a reasonable proposition. We have already acted in concert at the beginning of this session by creating a joint committee as an organ of both bodies to confer with each other and to communicate to each House separately their deliberations. We have often before recognized the propriety of acting through joint committees on questions of great importance, when the concurrence of both Houses is needed, and when a free conference will probably tend to produce an agreement. Therefore, if this is the purpose of this resolution, it is a very simple and plain one, and obviously defensible.

"But, Mr. President, this resolution goes further. It asserts, and it was intended to assert, that with Congress, and with Congress alone, rests the duty of defining when a State once declared to be in insurrection shall be admitted to representation, in this and the other House of Congress. This is a proposition of constitutional law; and on this point I am glad to say that there has been no difference of opinion among us until this session of Congress. This question has been three times decided in the Senate. It has been decided by the unanimous report of our Judiciary Committee. It has not been controverted in this body until within a very few days, or until during the present session of Congress. At the last session a unanimous report was made from the Judiciary Committee, composed of some of the ablest lawyers in the Senate, in which this doctrine is, in my judgment, more clearly and distinctly expressed than in the resolution now before us. I cannot see why any one who gave his deliberate judgment to that proposition can oppose this. The honorable Senator from Maine read a portion of this report on Friday, but it will bear repetition, and I will now read it:

The persons in possession of the local authorities in Louisiana having rebelled against the authority of the United States, and her inhabitants having been declared to be in a state of insurrection in pursuance of a law passed by the two Houses of Congress, your committee deem it improper for this body to admit to seats Senators from Louisiana, till by some joint action of both Houses there shall be some recognition of an existing State government acting in harmony with the Government of the United States and recognizing its authority.

"If this is law, how can any Senator vote against the pending proposition, unless it is for reasons not involving the merits of that proposition?

"It will be remembered that a bill came to the Senate, passed by the House of Representatives guaranteeing to the seceded States a republican form of government, commonly known as the Wade and Davis bill. It was antagonized here by various propositions, and among the rest by a proposition offered by the honorable Senator from Missouri (Mr. Brown). That bill contained many sections intended to provide a mode by which these eleven States might, when the rebellion was suppressed within their limits, be restored to their old places in the Union.



The proposition offered by Mr. Brown, as a substitute for the bill, I will now read; and I invite the attention of Senators to the distinct assertion of the very doctrine that is proclaimed in this resolution:

That when the inhabitants of any State have been declared in a state of insurrection against the United States by proclamation of the President, by force and virtue of the act entitled "An act to provide for the collection of duties on imports, and for other purposes," approved July 13, 1861, they shall be, and are hereby declared to be, incapable of casting any vote for electors of President or Vice-President of the United States, or of electing Senators or Representatives in Congress, until said insurrection in said State is suppressed or abandoned, and said inhabitants have returned to their obedience to the Government of the United States.

"Then mark these words:

nor until such return to obedience shall be declared by proclamation of the President, issued by virtue of an act of Congress, hereafter to be passed, authorizing the same.

"This proposition was introduced in antagonism to the proposition then before the Senate, as a substitute for it, to cover the whole ground, and I am told was framed by our fellow-Senator now dead, Judge Collamer. After debate it was adopted as a substitute, by the close vote of 17 yeas to 16 nays. Among the yeas were every Democratic member of this Senate and some of the Republicans. All the nays were Union Senators, friends of the original bill, including many classed as radicals. I give the vote in full:

YEAS—Messrs. Brown, Carlile, Cowan, Davis, Doolittle, Grimes, Henderson, Hendricks, Johnson, Lane of Indiana, McDougall, Powell, Richardson, Riddle, Saulsbury, Trumbull, and Van Winkle—17.

NAYS—Messrs. Chandler, Clark, Conness, Hale, Harlan, Lane of Kansas, Morgan, Morrill, Pomeroy, Ramsey, Sherman, Sprague, Sumner, Wade, Wilkinson, and Wilson—16.

"It may be said that these gentlemen voted for this proposition for the purpose of defeating a more offensive one: and if the vote rested here that would be a reasonable explanation. But in order to point the significance of this vote, the honorable Senator from Illinois, the chairman of the Judiciary Committee (Mr. Trumbull), called attention to the importance of the question, and said he wanted a definite vote upon this proposition by itself. He stated its importance, the effect of the principle involved, and asked for the yeas and nays on the passage of the bill as amended, in order, as he said, to ascertain the judgment of the Senate upon this distinct proposition. The bill then contained nothing but what I have read to you, and the vote was taken by yeas and nays, and stood as follows:

YEAS—Messrs. Brown, Chandler, Conness, Doolittle, Grimes, Harlan, Harris, Henderson, Johnson, Lane of Indiana, Lane of Kansas, McDougall, Morgan, Pomeroy, Ramsey, Riddle, Sherman, Sprague, Sumner, Ten Eyck, Trumbull, Van Winkle, Wade, Wilkinson, and Wilson—26.

NAYS—Messrs. Davis, Powell, and Saulsbury—3.

"So that by this deliberate vote, after de-

bate, after the attention of the Senate had been called to the importance of the proposition by the judicial organ of this body, at a time when there was no excitement and no party feeling here on this proposition, the doctrine we are discussing was asserted by an almost unanimous vote of the Senate. It seems to me that with this declaration of the opinion of the Senate before us, made when it was not influenced by party feeling or party excitement, we ought not to doubt the correctness of the pending resolution, not near so strong in its tenor or language. It ought not to be resisted by any one who thus committed the Senate to that proposition against a measure that would have organized a system to reconstruct the seceding States.

"But, Mr. President, I need not depend upon the vote of the Senate or upon the authorities, because I think, if you test this proposition by the simplest principles of constitutional law, there can appear no doubt that Congress has the sole and exclusive power over this subject. The Constitution of the United States gives to the President of the United States no legislative power except as a part of the law-making power. He is an executive officer, with no legislative power except that which he exercises in connection with us. The Constitution of the United States confers upon Congress not only the power to raise and support armies, to appropriate money therefor, and to provide and maintain a navy, but—

To make rules for the government and regulation of the land and naval forces.

"And among the residuary powers conferred upon Congress is that important one—

To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the Government of the United States, or in any department or officer thereof.

"Therefore, where a power is conferred upon the President, and the legislative power is necessary in order to carry that power into effect, Congress alone possesses the power to arm the Executive with the necessary authority to execute the laws. Upon Congress alone rests all the residuary powers; and therefore it is that the power of Congress follows our flag wherever it floats. Our flag may go round the world, to South America, to Italy, to China; it may go into any foreign country as it did in Mexico; it may go into the Southern States subduing a rebellion, and wherever it goes the legislative power of Congress goes with it. It regulates and governs the army, and the President has nothing to do but to execute the will of Congress and the Constitution of the United States.

"It seems, therefore, testing it by reason, that this power must rest in Congress. The doctrine is very strongly stated by Story, in his Commentaries on the Constitution, in very much the language I have used; and he says, in speaking of the powers of Congress, that



the jurisdiction and power of the Government of the United States follow our flag or our army into a foreign country, and Congress may make rules and regulations for the government of the army of the United States in a foreign country as well as in our own, and it is the duty of the President to execute them. It is true that, in the absence of rules and regulations prescribed by Congress, the President may make such regulations as are absolutely necessary for the government of the army wherever it is, but it is only as a part of his duty to execute the general laws. If Congress chooses to step in and prescribe the mode and manner in which these powers shall be exercised, he is bound by his oath to observe such rules and regulations. I conclude, therefore, that as Congress has declared eleven States to be in a state of insurrection, as it is necessary now to pass some plan or law by which these States may be restored to their old place in the Union, Congress has the undoubted legislative power to prescribe the terms, conditions, and tests by which their loyalty and obedience to the law may be adjudged.

"But, Mr. President—and I say it with great deference to the committee who reported it—I do not believe the bare assertion of this power tends to promote the object stated by the resolution itself. The object of this resolution is stated to be to close agitation upon a question which seems likely to disturb the action of the Government, as well as to quiet the uncertainty which is agitating the minds of the people of the eleven States which have been declared to be in a state of insurrection. If this resolution would tend to promote these great objects, I would vote for it much more cheerfully than I will; but I regard it as a mere straw in a storm, thrown in at an inopportune moment; the mere assertion of a naked right which has never yet been disputed, and never can be successfully; a mere assertion of a right that we have over and over again asserted. The only doubt I ever had about the resolution was the wisdom of introducing it and passing it under the previous question in one House at a moment when there was undue or unusual excitement in the public mind. My idea is that the true way to assert this power is to exercise it, and that it was only necessary for Congress to exercise that power in order to meet all these complicated difficulties. This resolution does not provide for the contingencies that have happened. Let me state the case. Suppose the two Houses of Congress cannot agree upon a plan of reconstruction, as it is very obvious we shall have difficulty in doing. Opposition here is already developed to the constitutional amendment as part of the plan agreed upon, in quarters at least to me unexpected, and it is very doubtful whether we can agree by the requisite majority upon this leading idea of a change of the Constitution. Suppose the two Houses of Congress cannot agree with each other, what then? Must these

eleven States stand in their present isolated condition beyond the pale of civil law until the two Houses can agree upon some proposition?

"Mr. President, in my judgment the real difficulty in this whole matter has been the unfortunate failure of the executive and legislative branches of the Government to agree upon a plan of reconstruction. If at the last session we had provided a law, reasonable in itself, proper in its provisions, by which these States might have been guided in their efforts to come back into the Union, that would have been an end of this controversy; but unfortunately (and I am not here either to arraign the living or the dead) there was a failure to agree. Earlier in this war, during the Thirty-seventh Congress, a gentleman now in his grave, and whose eulogy was so fitly pronounced the other day in the House of Representatives by his colleague here, Henry Winter Davis, prepared a bill to meet this exigency. He was not then a member of Congress. He brought that bill to me. It was a bill to guarantee to each State a republican form of government. The provisions of the bill pointed out a plan by which these States, then declared by Congress to be in a state of insurrection, might, when that insurrection was subdued or abandoned, come back freely and voluntarily into the Union. It provided for representation; it provided for the election of a convention and a Legislature, and the election of Senators and members of Congress. It was a complete guaranty to the people within the States upon certain conditions to come back into the Union. The provisions and tests by which to judge when the state of insurrection had ceased and determined were prescribed. I introduced that bill here at the request of Mr. Davis. It was referred to the Judiciary Committee. It was not acted upon by them. I suppose they thought it premature. Afterward Mr. Davis came into the Thirty-eighth Congress as a member of the House of Representatives. Among the first acts performed by him after taking his seat was the introduction of this same bill, framed by him and introduced by me into the Senate, in the House of Representatives. It was introduced by him on the 15th December, 1863. It was debated in the House of Representatives and passed by a very decided vote, and it was sent to the Senate. It was reported to the Senate favorably; but in place of it was substituted the proposition I have already read, offered by the Senator from Missouri, which was adopted in the Senate. It was sent back to the House; a committee of conference was appointed, and the result was the reporting to the Senate and the House of what was called the Wade and Davis bill. That bill was debated and finally passed upon the report of the Committee of Conference. It went to the President; he did not approve it.

"He then goes on and gives his reasons for not approving this plan; nor does he entirely



disapprove of it, but he said it was one of numerous plans which might be adopted."

Mr. Sumner, of Massachusetts, said: "Will the Senator allow me to interrupt him there? I will state that it so happened that I had an interview with the late President Lincoln immediately after the publication of that paper, and it was the subject of very minute and protracted conversation, in the course of which, after discussing it in detail, he expressed to me his regret that he had not accepted the bill."

Mr. Sherman continued: "Mr. President, I think every patriotic citizen of the United States will express his regret, not so much that the President did not approve that bill, because I will not condemn the President for declining to sign it, but that Congress in connection with the President did not agree upon some plan of reconstruction by which these States might have been guided, so that when the rebellion was put down they might see in the form of law some guide to lead them in the difficult road to restoration. Who does not now see that any law upon the subject would have been better than the absence of all law?"

"Now, I will ask Senators this plain question, whether we have a right now, having failed to do our constitutional duty, to arraign Andrew Johnson for following out a plan which in his judgment he deemed the best, and especially when that plan was the plan adopted by Mr. Lincoln, and which at least had the apparent ratification of the people of the United States in the election of Lincoln and Johnson."

"After this effort made by Congress to provide a plan of reconstruction, there was no effort made subsequently, no bill was introduced on the subject at the last session of Congress, no further effort was made to harmonize the conflicting views of the President and Congress. One whole session intervened after this veto, as I may call it, of President Lincoln, and no effort was made by Congress to reconcile this conflict of views; and when President Johnson came suddenly, by the hand of an assassin, into the presidential chair, what did he have before him to guide his steps? The forces of the rebellion had been subdued; all physical resistance was soon after subdued; the armies of Lee and Johnston and all the other armies of the rebels had been overwhelmed, and the South lay at our power. Who doubts, then, that if there had been a law upon the statute-book by which the people of the Southern States could have been guided in their effort to come back into the Union, they would have cheerfully followed it, although the conditions had been hard?"

"In the absence of law, I ask you whether President Lincoln and President Johnson did not do substantially right when they adopted a plan of their own and endeavored to carry it into execution? Although we may now find fault with the terms and conditions that were imposed by them upon the Southern States, yet we must remember that the source of all power

in this country, the people of the United States, in the election of these two men substantially sanctioned the plan of Mr. Lincoln. Why, sir, at the very time that Andrew Johnson was nominated for the Vice-Presidency he was in Tennessee as military governor, executing the very plan that he subsequently attempted to carry out, and he was elected Vice-President of the United States when he was in the practical execution of that plan.

"What was the condition of these States? I shall not waste much time upon this point, because mere theoretical ideas never appear to me to have much force when we are legislating on practical matters. They have been declared to be States in insurrection, but States still. The very resolution we have before us repeats three times that they are States now. They are referred to as States not entitled to representation. They are stated to be—

The eleven States which have been declared to be in insurrection.

"And again:

No Senator or Representative shall be admitted into either branch of Congress from any of said States until Congress shall have declared such State entitled to such representation.

"I could show very many acts of Congress in which they are referred to as States, but States in insurrection. And there is no difference between Congress and the President as to the present condition of these States. The executive branch of the Government in all its departments now treats them as States in rebellion or in insurrection. Tennessee is the only one of these States that has been proclaimed by the President to be out of insurrection. He is now exercising power in all these States as States in insurrection. He is suspending newspapers, exercising arbitrary power, suspending the writ of *habeas corpus*, treating them yet as States in insurrection; and in this view, as I have stated, Congress concurs.

"Now, what is the legal result of a State being in insurrection? It was sufficiently declared in the proposition I have already read, offered by the Senator from Missouri. They have no right while they are in insurrection to elect electors to the electoral college; they have no right to elect Senators and Representatives. In other words, they lose all those powers, rights, and privileges conferred upon them by the Constitution of the United States. Having taken up arms against the United States, they by that act lose their constitutional powers within the United States to govern and control our councils. They cannot engage in the election of a President, or in the election of Senators or members of Congress; but they are still States, and have been so regarded by every branch and every department of this Government. They are States in insurrection, whose rights under the Constitution are suspended until they cease to be in insurrection. When that period arrives is a question, in my judgment, which must be determined by Con-



gress, and not by the President, for the reason I have already stated; but it is clear that the first duty of Congress, under these circumstances, is to provide a mode and manner by which the condition of the States may be tested, and they may come back, one by one, each upon its own merits, upon complying with such conditions as the public safety demands.

"I propose now to recall, very briefly, the steps adopted by President Johnson in his plan of reconstruction. I do this for the purpose of presenting to the Senate, in a condensed view, the precise plan of reconstruction adopted by him, so that we may see at a single glance the present condition of these eleven States. When Mr. Johnson came into power he found the rebellion substantially subdued. What did he do? His first act was to retain in his confidence and in his councils every member of the Cabinet of Abraham Lincoln, and, so far as we know, every measure adopted by Andrew Johnson has had the approval and sanction of that Cabinet. If there is any doubt upon any measure it is upon the recent veto message; but up to and including that message, so far as we know—and in matters of this kind we cannot rely upon street rumors—Andrew Johnson's plan has met the approval of the Cabinet of Abraham Lincoln. He has executed every law passed by Congress upon every subject whatever, and especially has he executed the Freedmen's Bureau bill. He placed at the head of that bureau General Howard, one of the most fit and worthy men in the United States, to conduct the delicate affairs of that bureau, and General Howard has never asked him for any single act of authority, any single power, that was not freely granted by President Johnson. The Freedmen's Bureau is also under the control of Edwin M. Stanton. Every act passed by Congress in any way bearing on this rebellion the President has fairly and promptly executed. If there is any that he has failed to execute I should thank any Senator to name it to me, for I do not now recall it. Not only that, but he adopted the policy of President Lincoln *in hæc verba*, as I shall show hereafter in examining his proclamations, and he extended and made more severe, as you may say, the policy adopted by Mr. Lincoln. Not only that, but in carrying out his plans of reconstruction, he adopted all the main features of the only bill passed by Congress—the Wade and Davis bill. I have the bill before me, but I have not time to go into its details. My colleague, who remembers the features of that bill, will know that the general plan adopted by President Johnson is the only plan that was ever adopted by Congress. Let us look into President Johnson's plan a little more and see what it was. His first proclamation was in reference to Virginia. In this proclamation, dated Executive Chamber, May 9, 1865, he provided:

First, That all acts and proceedings of the political, military, and civil organizations which have been

in a state of insurrection and rebellion within the State of Virginia against the authority and laws of the United States, and of which Jefferson Davis, John Letcher, and William Smith were late the respective chiefs, are declared null and void.

"With a single stroke he swept away the whole superstructure of the rebellion. Then he provides for the execution of all the powers of the national Government within the rebel territory, extending there our tax laws. Perhaps President Johnson ought to have thought a little about these proclamations when he disputed the power of Congress to tax the people of the Southern States. He was the first to extend over those States the tax laws of the United States, and appoint assessors and collectors of internal revenue and collectors of customs in the various ports. Then he provides:

Ninth, That to carry into effect the guaranty of the Federal Constitution of a republican form of government and afford the advantage and security of domestic laws, as well as to complete the reestablishment of the authority of the laws of the United States, and the full and complete restoration of peace within the limits aforesaid, Francis H. Pierpont, Governor of the State of Virginia, will be aided by the Federal Government, so far as may be necessary, in the lawful measures which he may take for the extension and administration of the State government throughout the geographical limits of said State.

"That was the first element of his plan of reconstruction. The next was the amnesty proclamation, issued on the 29th of May following. In this proclamation he recites the previous proclamation of President Lincoln, and then goes on:

To the end, therefore, that the authority of the Government of the United States may be restored, and that peace, order, and freedom may be established, I, Andrew Johnson, President of the United States, do proclaim and declare that I hereby grant to all persons who have directly or indirectly participated in the existing rebellion, except as hereinafter excepted, amnesty and pardon, with restoration of all rights of property, except as to slaves, and except in cases where legal proceedings, under the laws of the United States providing for the confiscation of property of persons engaged in rebellion, have been instituted, &c.

"And then in the oath of amnesty he provides that any person claiming the benefit of the amnesty should swear that he will 'abide by and faithfully support all laws and proclamations which have been made during the existing rebellion with reference to the emancipation of slaves.' Then he goes on and excepts from the operation of this amnesty some fourteen classes of persons, more than quadrupling the exceptions of the previous proclamation of Mr. Lincoln; so that if there was any departure in this connection from the policy adopted by Mr. Lincoln, it was a departure against the rebels, and especially against those wealthy rebels who gave life and soul and power to the rebellion.

"These were the agencies and organs under which the plan of reconstruction was to go on. Now I ask you, what conditions were imposed on these people? First, the adoption of the constitutional amendment. He was not will-



ing to leave the matter to their amnesty oath or to the proclamation of President Lincoln, but he demanded of them the incorporation in their State constitutions of a prohibition of slavery, and the adoption by their Legislatures of the constitutional amendment, so as to secure beyond peradventure the abolition of slavery forever and ever throughout the United States. This he required in every order issued to the South, and demanded it as a first and preliminary condition to any effort toward reconstruction. Next, he demanded a repudiation of the rebel debt, and a guaranty put into the constitutions of the respective States that they never would, under any circumstances, pay any portion of the rebel debt. Next, he secured the enforcement of the test oath, so that every officer in the Southern States, under the act of Congress, was compelled to take that oath; or if he could not find officers there to do it, he sent officers from the Northern States to do it, so that this law, the most objectionable of any to the Southern people, was enforced in all instances at the South. It is true he appointed some provisional governors who could not take the test oath; but why? Because it was held that these provisional governors were not officers under the law. They were not officers whose commission was provided for by law; they were simply executive agents for the time being to carry into execution the plan of reconstruction; and he felt that if he could use any of these people in the Southern States for the purpose of performing this temporary duty, he had a right to do it. It was not prohibited by any law. The test oath only applied to officers of the United States who were provided for by law.

"Next, he enforced in every case full and ample protection to the freedmen of the Southern States. As I said before, no case was ever brought to his knowledge, so far as I can gather, in which he did not do full and substantial justice.

"Now, what are the objections to this policy? The first objection, that I have heard made most commonly, and which I have made myself, is, that the President was too liberal in exercising the pardoning power. But when we remember the fact that there were more than five times as many included in his exceptions as were included in the exceptions to the proclamation of Mr. Lincoln, and that the number of pardons in comparison with the whole number of persons excepted is substantially insignificant, and that we cannot know all the circumstances which surrounded every particular case of pardon, it is hardly fair for us to arraign the President of the United States. We can limit his power to pardon in these cases. The President of the United States has no power to pardon under the Constitution of the United States in cases like this. That power is derived from the amnesty law which we passed at an early period of the war. The constitutional power to pardon given to him by that instru-

ment extends only to cases where there had been a legal accusation by indictment or affidavit, or to cases where a man had been tried and convicted of a crime. That is the kind of pardon contemplated by the Constitution, but the authority which we gave him by law to extend pardon and amnesty to the rebels is as broad as the insurrection itself. We conferred upon the President of the United States the unlimited power of amnesty, and he has exercised that power only to a very moderate degree.

"But the principal objection that has been made to his policy is that he did not extend his invitation to all the loyal men of the Southern States, including the colored as well as the white people. If I were now required to state the leading objection made to the policy of the President in this particular, I should use the language of an eminent statesman, and say that when the President found before him an open field, with no law of Congress to impede him, with the power to dictate a policy in the South, to impose conditions on it, he ought to have addressed his proclamation to every loyal man above the age of twenty-one years. That would be the plan of the Senator from Massachusetts."

Mr. Sumner: "Every loyal man?"

Mr. Sherman: "I mean every loyal man of sound mind. Now, let us look at that question. In every one of the eleven seceded States, before the rebellion, the negro was excluded from the right of voting by their laws. It is true the Senator from Massachusetts would say these are all swept away. Admit that, but in a majority of the Northern States to this hour there is a denial of the right of suffrage to the colored population. In Ohio, Pennsylvania, and New York that right is limited, and these three States contain one-third of the people of the United States. In a large majority of the States, including the most populous, negro suffrage is prohibited. And yet you ask President Johnson, by a simple mandatory proclamation or military order, to confer the franchise on a class of people who are not only prohibited from voting in the eleven Southern States, but in a majority of the Northern States, and, indeed, I think in all the States except six.

"Further, it cannot be denied that the prejudice of the army of the United States, who were called upon to enforce this proclamation within these States, was against negro suffrage. Whether that prejudice is wise or unwise, blinded or aided by the light of reason, I shall not say. I never myself could see any reason why, because a man was black, he should not vote; and yet, in making laws, as the President was then doing, for the government of the community, you must regard the prejudices not only of the people among whom the laws are to be executed, but the prejudices of the army, and the people who are to execute those laws, and no man can doubt but what at that time there was a strong and powerful prejudice in the army and among all classes of



citizens against extending the right of suffrage to negroes, especially down in the far South, where the great body of the slaves were in abject ignorance.

"But that is not all, Mr. President. The President of the United States was of the opinion that he had no power to extend the elective franchise to them, and, therefore, in judging of his plan of reconstruction, we must give him at least a reasonable credit for honesty of purpose.

"We complain here that the President has not exercised his power to extend to freedmen the right of suffrage when Congress never has done it. We have absolute authority over this District, and until this session the proposition was not seriously mooted to extend the suffrage to the colored population. Here, better than anywhere else in the Union, they are fitted and entitled to suffrage, and yet we never, in our legislative power for this District, where we have absolute power, complied with that condition which has been asked of the President of the United States. It is complained that he did not extend the franchise to four millions in the Southern States, who are admitted to be ignorant, having been slaves for life, who are not prepared for liberty in its broadest and fullest sense, who have yet to be educated for the enjoyment of all the rights of freemen, when we ourselves never have been willing to this moment to confer the elective franchise upon the intelligent colored population of this District.

"So I think we have never conferred the right to vote upon negroes in the Territories. My colleague will know whether we have or not. We never have. Here we have Territories where we have the power to mould the incipient form and ideas, and where our power is absolute, and yet Congress has never prescribed as a condition to their organization as Territories and to their admission as States the right of negroes to vote.

"And this is not all. In the only plan Congress has ever proposed for the reconstruction of the Southern States, the Wade and Davis bill to which I have referred so often, Congress did not and would not make negro suffrage a part of their plan. The effort was made to do so, and it was abandoned. By that bill the suffrage was conferred only upon WHITE male loyal citizens. And in the plan adopted by the President he adopted in this respect the very same conditions for suffrage prescribed by Congress.

"Now, have we, as candid and honorable men, the right to complain of the President because he declined to extend suffrage to this most ignorant freed population, when we have refused or neglected to extend it to them or to the negroes of this District, and to the colored men who may go into the Territories? No, sir; whatever may be our opinion of the theory or right of every man to vote—and I do not dispute or contest with honorable Senators

upon that point—I say with the President, that to ask of him to extend to four millions of these people the right of suffrage when we have not the courage to extend it to those within our control, when our States, represented by us here on this floor have refused to do it, is to make of him an unreasonable demand, in which the people of the United States will not sustain Congress."

Mr. Dixon, of Connecticut, said: "Mr. President, what now are the two great systems of policy with regard to reconstruction and reunion on which the minds of the people of this country are to-day divided? One of these systems, known, by way of distinction, as that of the President, is indicated in the words which I have cited from his veto message. It contemplates a careful, cautious, discriminating admission of a loyal representation from loyal States and districts in the appropriate House of Congress, by the separate action of each, every case to be considered by itself and decided on its own merits. It recognizes the right of every loyal State and district to be represented by loyal men in Congress. It draws the true line of distinction between traitors and true men. It furnishes to the States lately in rebellion the strongest possible inducement to loyalty and fidelity to the Government. It 'makes treason odious,' by showing that while the traitor and the rebel are excluded from Congress, the loyal and the faithful are cordially received. It recognizes and rewards loyalty wherever it is found, and distinguishes, as it ought, between a Horace Maynard and a Jefferson Davis.

"What is the other policy? It contemplates the entire exclusion of representation in either House of Congress from any State lately in rebellion, irrespective of its present loyalty or the character of its people, until the adoption of certain measures not definitely stated, whose advocates agree neither as to the measures proposed nor in the reasons given for their support—this exclusion to continue for an indefinite and unlimited period of time, declared by some to be for five years, by some thirty years, and by some in a certain contingency *forever*; the entire region comprised within the thirteen seceding States, including Tennessee, to be held meanwhile as conquered territory, and to be governed as subject provinces by the central power, and the people thereof to be ruled as vassals, liable and subject necessarily at all times to taxation, while thus wholly deprived of representation and of every right of self-government.

"And now, to render certain this policy—or at least in view of it—it is proposed by the resolution now under consideration to enact, so far as such a resolution can enact, that neither House of Congress shall admit a member from any one of the States lately in rebellion, whatever may be his own past or present character and conduct, and however true and loyal may be the people by whom he is elected, until consent, by an act of Congress, passed by both



Houses and signed by the President, in the face of the express provision of the Constitution, that 'each House shall be the judge of the elections, qualifications, and returns of its own members.'

"These, Mr. President, are the two systems of policy now presented for the consideration of this country. One or the other must be adopted by the Government. All minor issues, and all intermediate views and opinions, must gravitate toward and be absorbed by one or the other of these great commanding systems of policy; and all questions of local interest or of minor details in the work of reconstruction become therefore unimportant, and may be left out of consideration.

"I have stated what I believe to be the true issue in the briefest possible form of words. Here, in my judgment, is the whole of this vast question which is to agitate the public mind of this country, and the decision of which is to shape and control its governmental policy for a long period of years. All points of mere detail in regard to it will be lost sight of and forgotten in view of the vast and overwhelming idea of the permanent and fraternal reunion of the people of every one of those States under a common flag and a common representative Government. It is impossible, in the nature of things, that the public mind should be occupied by any other political question. Until this is decided, finally and forever, no personal or party consideration can divert the eager attention of the people from the exclusive investigation of this question. Nor can any thoughtful mind doubt as to the final decision. Before the war the love of the Union was the passion of the loyal national heart, and now that the war is over its passion will be reunion. For a brief period the dissevered sections of our country may be held apart by the main force of party and of faction, but every day the mutual attraction of the separated parts is growing stronger and more irresistible. If there are any who attempt to hold them asunder, their fate will be that of Milo:

'The Roman, when he rent the oak,  
Dreamed not of the rebound.'

"They may be crushed, but the Union will be restored under a Constitution amended and purified, by which slavery is forever abolished, and freedom, with all its incidents, forever guaranteed.

"Believing the first-named policy to be, as has been conclusively proven by the distinguished Senator from Wisconsin (Mr. Doolittle), that of President Lincoln, and that in adopting it President Johnson has but followed in the path of his predecessor; and believing also that this policy is but a continuation of the great struggle in defence of the noble cause of the Union, for which President Lincoln and all his martyred brethren died, I declare my confident trust that the people will support and uphold Andrew Johnson in its advocacy and

defence, as in the darkest days of the war they supported and upheld Abraham Lincoln."

Mr. Johnson, of Maryland, followed, saying: "The question is, what is the present condition of the States in which the rebellion prevailed? I suppose all will agree that the rebellion or the insurrection, or (if my friend will have it so) the war, as contradistinguished from rebellion and insurrection, has terminated. There is no hostile force now to be found in any one of the States in which the rebellion or the insurrection or the civil war existed. There is no opposition found anywhere in those States, by act, to the authority of the Government of the Union. The paramount obligation due to that authority is practically conceded everywhere, and a willingness to abide by that paramount authority is manifested everywhere, so far as my information extends. However it may be in relation to individuals or classes of individuals to be found in those States, there does not exist now in any one of them any purpose or any wish to resist the authority of the General Government. On the contrary, so far from wishing to resist that authority, their ardent desire is to have it exercised over them, and to be protected by all the securities which the Constitution throws around individuals or States in the exercise of that authority.

"If the fact be as I have stated, and I repeat that I know of no evidence in contradiction of it, then it would seem strange that any department of this Government, while extending to them the authority of the Government, enforcing as against them the allegiance due by them to the Government, legislating in relation to them by virtue of authority, legislating in every form of legislation which Congress has a right to adopt, taxing them under the taxing power, both by the imposition of duties upon imports in their several ports and by the imposition of taxes by your internal revenue law, should be unwilling to give them the same security, the same guaranty that the Constitution secures to you and to all of us and our respective States in the execution of the same authority upon us and our States.

"With these preliminary remarks, I deem it necessary for the purpose I have in view very briefly to call the attention of the Senate to the character of the Government under which we live. My friend from Maine, and to a greater extent the member from Massachusetts (Mr. Sumner), have discussed the question which I am about to examine as if we were living under but one Government, owing but one allegiance, a Government not only paramount within any prescribed limits, but paramount everywhere without limitation, capable of doing every thing that any Government, national in point of character, can do within its domains. Is that true, Mr. President?

"When the thirteen colonies determined to resist what they considered the tyrannical usurpations of England and declared themselves free and independent, and succeeded in achieving



that independence, each for itself became as absolutely a nation as it is possible for any people to be. They professed to have no superior; they claimed perfect and absolute nationality as separate and distinct people, competent to do in peace or in war what any people, under any form of government, was competent to do in that condition. Finding it necessary, however, to have some form of general government, they adopted for that purpose the Articles of Confederation, and in those articles not only did not devolve upon that Government any powers inconsistent with their absolute sovereignty, but cautiously guarded against a possibility of an inference of that kind, by saying that all the powers not expressly granted to the Government created by the Articles of Confederation were still to be considered as remaining in the several States; and they did more. The form of government, if government it could be called, which those articles created, was in one sense no government at all. It constituted but a compact; it amounted but to a league; and all the powers, whatever they were, conferred upon it were powers to be exerted not upon the individual citizen anywhere directly, but upon the individual through the State governments. The capital vice of such a government, as experience soon demonstrated, was that it was unable to perform the functions for which governments are created; and the men of that day becoming convinced of that fact, recommended to the American people the Constitution under which we now live, which, for the execution of its own powers, looks to no State interference, to no State assistance, but to the direct responsibility of each individual citizen to the Government, within the limit of the powers conferred upon the Government.

"But it did not pass by the States altogether. It not only did not design to impair in any manner, except to the extent of the powers expressly delegated or existing by implication from those expressly delegated, the sovereignty of the States, but in order to place the continuing existence of that sovereignty beyond all doubt, and exempt it from the hazard of a possible implication that there might be found in some clause in the Constitution a feature which in the future might be construed to impair the sovereignty of the States, they, by an amendment soon after adopted, declared that all the powers not conferred were reserved to the States or the people. And in the clause relied upon by the honorable member from Massachusetts, which gives to Congress the authority to pass all laws that may be necessary and proper, that power is limited to such laws only as may be found necessary and proper to carry out the express or implied powers.

"Now, Mr. President, is the Government created by that Constitution a national Government? Not if the men of the day when it was adopted knew what its character was. It was partly national and partly Federal. Its adoption, the very act of its adoption, the

very manner provided for its adoption, demonstrate that in the judgment of the men of that day it was not a national Government. Its approval or rejection was submitted to the people of the several States respectively. The effect of the concurrence of the people of each of the States, in a number necessary according to the provisions of the Constitution to give it actual being, is another matter; but as far as relates to the act of adopting the Constitution, the people of the States considered and judged separately. It was not adopted by a majority of the people of the United States. It might have been adopted by the required number of States, and yet not have met the approval of a majority of the people of the United States. The Senate will find, upon refreshing their memories on the subject, that the character of the Government is stated with his accustomed perspicuity by Mr. Madison, the author of the thirty-ninth number of the *Federalist*. I forbear to read many of the passages which relate to the particular question, and will content myself with reading the paragraph at the close of the number:

The proposed Constitution, therefore, even when tested by the rules laid down by its antagonists, is, in strictness, neither a national nor a Federal Constitution, but a composition of both. In its foundation, it is Federal, not national; in the sources from which the ordinary powers of the Government are drawn it is partly Federal and partly national; in the operation of these powers it is national, not Federal; in the extent of them, again, it is Federal, not national; and finally, in the authoritative mode of introducing amendments, it is neither wholly Federal nor wholly national.

"That is obvious from this consideration: that the machinery of the Government, that without which it cannot continue at all, involves the existence of States. This body cannot be convened, and without it there can be no Congress, except by the votes of States. That is very clear. The provision is express that Senators are to be chosen by the States through their Legislatures; and no provision is made for any other mode under any possible state of circumstances by which they can be chosen. States, therefore, are absolutely necessary to the very existence of the Government. You can no more administer the Government without States than you would be able to administer the Government without people; and therefore, he who seeks to blot out of existence a State, strikes a blow at the very life of the Government. It may live, although one be stricken out of existence; it may live though eleven be stricken out of existence: but the blow at the Government, although not absolutely fatal, according to the hypothesis of fact which I have supposed, is no less a fatal blow. If the men by whom that Constitution was framed had been asked if they contemplated as possible a contingency when any of the existing States should cease to exist, they would have said no, because the continuing, wholesome existence of the Government depends upon the continu-



ing existence of the States. The General Government is infinitely more dependent upon the States than the States are upon the General Government. Why do I say so? Honorable members who have been engaged in this debate seem to suppose that all the political questions which can possibly arise, all the measures which it may be necessary to adopt in order to secure the prosperity and freedom of the people, are with Congress. That is not so. Not only is there a large mass of power necessary to be exerted in order to secure prosperity and peace and protection to the individual citizen, secured to the States, but the far larger mass of power belongs to the States. The whole subject of contracts as between man and man, the mode of disposing of personal property, the mode of disposing of real estate, the mode of devising real and personal estate, the law of marriage, the judicial jurisdiction over these several subjects of intimate concern to the interest of individuals, is with the States.

"Not only is the power of the Government limited as far as regards its legislative department, but it is equally limited in relation to its judicial department; and we should in vain search in that department of the Government for any authority to adjudicate upon the infinite variety of transactions which take place as between man and man in the States. The Government deals with external affairs, with matters involving the interests of the States *inter se*, with contracts entered into by the individuals of the several States, and it confers all measures of that description, and all judicial power over controversies arising out of measures of that description, upon this Government, but there it stops. Jurisdiction of all cases in law and equity—I cite the language literally, certainly substantially—arising under the Constitution and laws of the United States and treaties made in pursuance of their authority, is conferred upon the judicial department of the Government; but nothing else. Then what is to become of the interest of the people of the several States if they have no government of their own? Anarchy, unless (a proposition which I propose to examine) as far as the particular crisis in which we now are is concerned, those States are reduced to the condition of Territories; but assuming that they are now States as contradistinguished from Territories, then it follows that to the extent of the powers remaining in the States, if they have no lot in their execution, and you have no authority to provide for them, they are in a condition of anarchy. To use a favorite comparison of my friend from Massachusetts, that is as plain as the multiplication table.

"If that be plain, what would seem to be the consequence? That the Constitution never contemplated that the States should cease to exist, and it above all never could have contemplated that the Government of the United States, under any or all the powers conferred upon it by the Constitution, was intended to

possess under any state of circumstances the power to put an end to a State; and yet if they are now ended, if they have ceased to exist, and are to be treated as Territories, they did provide that the Congress of the United States, or the Government of the United States, should have the authority to assume over the people of those States the right to legislate, and the right to adjudicate upon matters expressly reserved to the States and the people of the States, although such was not the apparent purpose, and although so far from being the apparent purpose it was expressly disavowed, and assume to themselves the authority to convert this Government into a national, as contradistinguished from a Federal Government.

"I do not understand my friend from Maine to go to the extent of denying that they are to be considered as States now, but simply that their relations as States to the Government have terminated. The honorable member from Massachusetts goes a step further, and he maintains, and did as far back as 1862, that the effect of the rebellion as it then existed was to reduce the States where it prevailed to a territorial condition. I think when the honorable member from Massachusetts announced that proposition, it was said on the floor of the Senate that perhaps he was the only member of the body who would be found to support it; and yet, as the Senate will see in a moment, it is, if I understand the position taken by most of the Senators who have spoken on the other side of the Chamber, the very ground now assumed. It is said that war existed and the consequences of war followed; and as one of the consequences of war was to put the enemy in the hands of the conqueror, it necessarily follows that the people of the South and the States of the South are now at the footstool of the conqueror, bound to take whatever condition he may think proper to impose, bound by any legislation he may think proper to adopt. What was the doctrine of the honorable member from Massachusetts not only announced once, but over and over again repeated and maintained with all the learning for which he is remarkable? On the 11th of February, 1862, that honorable member submitted to the Senate resolutions 'declaratory of the relations between the United States and the territory once occupied by certain States, and now usurped by pretended governments without constitutional or legal right.' (See ANNUAL CYCLOPÆDIA, 1862—p. 345.)

"Am I right or am I wrong in saying that when that first resolution was submitted to the judgment of this body it was said in debate that it was exceedingly doubtful whether it could receive the vote of any member of the body except the mover? I am not sure that he was not himself so well satisfied of it that he did nothing more than have it referred, and there it slept. Then, at that time, whatever may be the judgment of Senators now, it could not be asserted of these States that either by abdication or forfeiture they had reduced the



territory belonging to them to the condition of a territory subject to be legislated over by force of the territorial clause of the Constitution. If not, why not? If the honorable member from Massachusetts was not right in proclaiming that the effect of the insurrection and the effect of the ordinances of secession which the States had before passed was to work abdication and forfeiture, and as it was not pretended at that time that there was any other mode by which the States could cease to exist except in consequence of the insurrection, then they were still existing. If *flagrante bello* the Senate considered them as States, in the name of reason why are they not to consider them as States now that the war is ended? If although enemies in fact, they were friends in law; foes in fact, but brothers in legal intendment; if they were continuing in existence politically while the war was being waged, by what, I was about to say, sophistry can the human mind be brought to the conclusion that what the war itself while it was being waged could not accomplish, is the result of a successful prosecution of the war?

"Now, Mr. President, what is the result if I am right so far? That they are States. States of what character? States standing in what relation? If the honorable member from Massachusetts was wrong in saying that they had abdicated or forfeited the character they possessed and the relation in which they stood, and they are States still, they are as much States as they were when the insurrection was inaugurated, and their relation to their sister States, and their consequent relation to the Government of the United States, is the same relation in which they stood to both when the insurrection was inaugurated. That would seem to follow logically as a necessary result, and if that is a necessary result, does it not also follow that they are entitled to representation in this Chamber? Whether they can present persons who can take their seats, because they have individually committed crimes against the United States, is another question; but I speak now of the right itself.

"What provision is there in the Constitution which puts it in the authority of this body to deny to any State of the United States an equal representation with those States that are represented here? Not only is there nothing; but so sedulous were the framers of that great instrument to guard against the possibility that any State should not be equally represented upon the floor of the Senate with every other State, that they placed that right beyond the power of amendment. The language of the Constitution, as we all know, is, that under the amendment clause of the Constitution, no State shall be deprived of its equal suffrage in the Senate of the United States except by its own consent.

"There are only two rights in the Constitution which were excepted out of the power of amendment; one of them, the one of which I

have just spoken, was placed beyond such power absolutely; the other, in my judgment, was a blot upon the Constitution itself, but it was a blot which the wise men and patriotic men of that day thought it was necessary should exist, because without it it was evident that a Government such as they desired could not be constituted—I mean the power of importing slaves for a period of twenty years.

"It was, therefore, in the view of the framers of the Constitution, a cardinal principle necessary to the success of the Government, and necessary to the protection of the States, that each State under every possible condition of circumstances should be entitled at all times thereafter, unless she consented to abandon it, to an equal suffrage in the Senate.

"If, therefore, they are still States and not Territories, if they are as they were when the insurrection commenced, then it would seem to be obvious that they have as much right to be represented in this Chamber as any one of the States that are here represented; and yet, what are we doing? I did not understand the honorable member from Maine as denying the right, but only as denying that the time had come when the right should be enjoyed; as only asserting that because of some external circumstances there might be danger to the Government, and that is the only danger that we can recognize. Party danger is not a danger that we can notice. It is the peril to the nation, if there is any peril, which will justify the exclusion of any State from the enjoyment of that right of suffrage upon which the Senate can rely. And what is there to show that there will be any danger to the public weal? Have they not thrown down their arms? We know they have. Have not all their armies been surrendered? We know they have. Are they not daily supplicants for the clemency of that department of the Government vested with the power to be clement? We know they are. Do they wish to be represented? Your table is loaded with their credentials. Do you object to the individual men? No. Perry, of South Carolina, whose credentials I had the honor to present yesterday; Hunt, of Louisiana, whose credentials I presented some three or four weeks ago; Sharkey, of Mississippi, and others of the same description of men, are now at your door, invoking you as brothers and statesmen, by the memories of the past, to permit them to come among you as equals, and claiming it upon the ground that every department of the Government, except ourselves, and that at this session, has admitted to be true in point of fact that they are still States of the Union.

"My friend from Maine maintains that I am in error in supposing that the insurrection which prevailed for four years was put down only by virtue of that clause of the Constitution which gives to Congress the right to use military force for the purpose of suppressing insurrection."



Mr. Fessenden : "Using the militia."

Mr. Johnson : "Well, the act of 1807, passed under that authority, gives the same power to use the army and navy of the United States that previous acts gave to use the militia, and we have legislated still more extensively by raising troops for the purpose of putting it down. I maintained in good faith, as I am sure every Senator who knows me will believe, that the authority is to be found exclusively under that clause. I stated that under the war power (that is, the power conferred upon Congress to declare war), there was no authority to war against a State of the Union, and I supported that opinion by referring to a part of the opinion given by Mr. Justice Grier, speaking in behalf of the majority of the Supreme Court, in the prize cases as reported in 2 Black, and in the dissenting opinion of Mr. Justice Nelson, in each of which it is stated that there is no clause in the Constitution which, either by direct terms or by implication, can be construed to confer upon Congress the authority to declare war against a State; and they go on, each of them, to maintain that the power conferred upon Congress in regard to the Southern rebellion is the power conferred by that clause of the Constitution which gives them authority to suppress insurrection, and is carried out by the passage of the acts of 1792 and 1795; and yet they say, and say properly, as I think (although in relation to that there was a difference of opinion, but only as to the time when that condition of things existed); that an insurrection may be of such an extent as entirely to put a stop practically to the authority of the Government, that it may become a war according to the extent to which it may be carried on by the insurgents. What did they say it for? What was the question before the court?

"The President had blockaded the Southern ports; prizes had been made for a violation of the blockade, and the question in each of those prize cases was whether the vessels captured were subject to forfeiture. The majority of the court held that, independent of your act of July 13, 1861, a state of war existed, out of which grew belligerent rights, and one of the belligerent rights is the right of capture for violation of a blockade instituted by one belligerent as against the other belligerent. That is all. The minority of the court came to the same result in relation to captures made after the passage of the act of July 13, 1861. They denied that there was a war within the meaning of the Constitution existing antecedent to that period, because the whole war power was conferred upon Congress and the President had no right to initiate war; but when the war existed under the sanction of Congress it carried with it all the rights which belonged to belligerents, and therefore carried with it the right of the United States to blockade the enemy's ports, that being a belligerent right, and to capture for violation of the blockade.

"My friend from Maine says virtually (he did

not refer to the decision in terms) that there is no distinction between a civil war and an international war, and with the clearness which belongs to all his speeches he got on pretty well until he came to consider what effect upon that condition of war would be the operation of our peculiar Government, and he seemed to be a little puzzled to reconcile his own mind to the conclusion that the Government of the United States could by war of any kind put an end to a State government.

"But, now, is there not a distinction? Is there not some difficulty arising from the fact that the Government of the United States is not a Government over the State at all? The Government of the United States and the government of the State are equally, as far as the people of that State are concerned, the government of the people of that State. They owe allegiance to a certain extent to the Government of the United States; they owe allegiance to a much greater extent to the government of the State. The General Government cannot get on without the States. The States are not only a component but an essential part of the General Government. Blot them out, and the Government is at an end; blot them out, and these seats must be vacated, and the other hall be left desolate. Nobody can deny that. We could not vote ourselves in permanent session, I suppose. If not, our time expires; and how are our places to be filled? If any one State is left, or any two or three States are left, there will be some three or four or five or six Senators. Is that the Government our fathers designed? How is the judicial department of the Government to exercise its functions? It has no courts in these States if they have ceased to be States; if they are Territories, there is an end to the judicial system, so far as those Territories and the people who are to be found within their limits are concerned. In the case of *Canter vs. The American Insurance Company* (1 Peters), which has been very often before this body, and brought to the attention of the public as demonstrating the authority of Congress to regulate, even by abolishing, slavery in the Territories, this question was decided. The case is pregnant with instruction upon various points in this debate. It arose in this way: a vessel was wrecked upon the coast of Florida, then a Territory, and the cargo and the vessel, in part, were rescued, and the salvors filed a petition in the admiralty court of Florida, a court constituted by the Territorial Legislature of Florida, for the sale of the property to pay them the amount of their salvage, and it was sold. The property came into the hands of the purchaser, and he carried it to South Carolina. Upon the wreck of the vessel the insured abandoned to the underwriter, and the underwriter, when the property came into the port at Charleston, sued the person in whose possession it was to recover it, and he defended himself upon the ground that the decree under which it was sold was a legitimate



decree. The Supreme Court came to that conclusion. Among other objections to the validity of that decree was this: the court in Florida consisted of judges appointed for a limited time, whereas the courts known to the United States under the Constitution of the United States were composed of judges holding office during good behavior; and it was clear that if what had been done was done under the judiciary clause of the Constitution of the United States the sale was void, because the court was unconstitutional. Chief-Justice Marshall said:

It has been contended that, by the Constitution, the judicial power of the United States extends to all cases of admiralty and maritime jurisdiction, and that the whole of this judicial power must be vested "in one Supreme Court and in such inferior courts as Congress shall from time to time ordain and establish." Hence it has been argued that Congress cannot vest admiralty jurisdiction in courts created by the Territorial Legislature.

We have only to pursue this subject one step further to perceive that this provision of the Constitution does not apply to it. The next sentence declares that "the judges, both of the supreme and inferior courts, shall hold their offices during good behavior." The judges of the superior courts of Florida hold their offices for four years. These courts, then, are not constitutional courts, in which the judicial power conferred by the Constitution on the General Government can be deposited. They are incapable of receiving it.

"Now, let me apply this to what I have just stated. If it be so, why are your courts now in those States vested with the judicial authority conferred by the Constitution of the United States, exercising all their functions, administering justice as between man and man in those cases in which jurisdiction is conferred upon them by the Constitution? Why are they there? Only because they are still States. The moment you strike them down from the elevated character of States to the subordinate character of Territories, at once the judicial authority of the United States ceases within their limits; and yet what is the Supreme Court doing? What did they do the other day unanimously with the exception of the Chief Justice? They are receiving now records from the decisions of the courts in those States and they are hearing them. By a special order, passed a few days since, they directed that parties whose cases were here from the States lately in rebellion should have a right, if they applied for its enjoyment, to have their cases heard in advance, they having lost their priority only because of the war, and the court held that, the war ended, the judicial authority of the United States at once attached; and if the doctrine of *Canter vs. The American Insurance Company* be sound (and nobody can dispute it; nobody, certainly, in the past has disputed it), if the judicial authority contained in the Constitution is an authority conferred only upon the courts with reference to the United States as contradistinguished from the Territories, the Supreme Court could only have come to the conclusion that those cases were to be

heard now and decided now, because they were of opinion that those States are now States of the Union.

"Now, as to this right of war. War, says my friend from Maine, though it be a civil war, carries with it all belligerent rights. It does carry all belligerent rights that are not inconsistent with the character of the parties engaged in the war. What sort of a war is it that we are supposed to have been waging against these insurgents, this civil war, as he imagines it to have been? Was it a war of conquest? Could it be a war of conquest? If it was, it would have been the most extraordinary conquest that ever was made; it would have been a Government conquering itself. The States are a part of itself. Its existence depends upon the existence of the States. You cannot elect a President without the States; you cannot elect members of the House of Representatives without the States; you cannot elect members of the Senate without the States. Then to suppose that, under the authority to suppress insurrections, however those insurrections may be carried on, into whatever magnitude they may culminate, is to enable the Government to destroy the States under the doctrine of conquest, is to hold the doctrine that the Government can conquer itself. Who ever heard of that? What! the Government of the United States conquer States, and, by virtue of that conquest, extinguish the States? You might as well attempt to conquer the President; perhaps that may be done one of these days, sooner or later; or the President might as well attempt to conquer Congress; that may be done; and some people think, perhaps, that it ought to be done; but what is the result of either? The Government is either fatally destroyed or seriously wounded. A power, then, conferred on Congress to preserve is a power which Congress has a right to exert for the purpose of destroying. A power to be exerted merely for the purpose of vindicating the authority of the Constitution and the laws, seeing that they are faithfully observed by those who are bound to observe them, is an authority which, with reference to the people upon whom it is exercised, may be so carried on as to destroy the authority and the laws.

"Can that be so? What is the meaning of the book? [Holding up Vattel.] My friend did not read it. You can acquire—that is the chapter of Vattel to which he called my attention—you can acquire property by conquest; but I speak, as I think, understandingly, not only standing upon the authority of Vattel, but upon the authority of every writer upon the law of nations with which I am at all familiar, when I say that nowhere do any of them maintain the proposition that a Government can conquer itself. One nation carrying on war against another may obtain its territory, its people, by one of two modes, either by conquest effected by absolute subjugation, or by treaty independent of actual conquest; but



when a Government wages war as against its own citizens, no matter what may be the form of government, be it monarchical, be it imperial, be it democratic, the result is the same. If it carries on war against its own citizens, it may, if the war is carried on to a successful termination, punish the men who have been engaged in it; but the country remains; no title to the country is obtained by conquest. Whatever right it has in such a contingency is the right with which it started. That original right was suspended by force of arms; the arms subdued, the suspension ceases, and the Government stands as it stood when the war originated, having but the one country under the one Government; and whatever may be the form of government, if it carries on the war to a successful result, all that it has a right to do is to punish the individual parties who have been concerned in the opposition to its authority.

"Now, I suppose, and my friend from Maine supposes, and we all, perhaps, suppose that the rebellion had no just foundation; but a great many people in the United States, even in the loyal States, thought that it had. There was no injustice, in my opinion, perpetrated by the North upon the South that could not have been corrected, if it was unjust, by the fair administration of the Constitution of the United States; but a great many thought that the time had come when safety to themselves demanded a separation. They have paid the penalty of the error, and now they are before us asking us, through the proper constituted authority of the country, to pardon the error; they are before us now pledged, if we can take the testimony of their leading men holding high official station, to abide by the result of the trial to which their doctrine of secession and of slavery has been submitted. They stand before you now admitting that their hopes are centred in the Union, that their safety is there to be found, and there only, and they ardently implore you to suffer them to come again into your midst, share your duties, participate in your trials, join their counsels to your own for the purpose of making the country even greater than it was in any time of the past.

"Now, what do you say by this resolution? 'You must be kept out until Congress shall by law declare that you ought to be admitted.' When is that to be? I am no prophet; but if the signs of the times are to be relied upon, that is to be just when Congress shall think proper; and when they will think proper, and why they will think proper, and what conditions they will annex, is all now in the womb of time. Are they to be kept out until that matter is settled by Congress? They will be if you pass this resolution and it is observed. Is it right? I heard it on this floor when I had formerly the honor of a seat in this body, and I heard it in conversation from time to time, sometimes angrily, sometimes socially, 'The Southern men cannot be driven to separation,'

and I heard it from others that the Northern men could not be driven into hostility as against them. The error of both has been signal. What sort of rebellion have we had? One greater than the world has ever before witnessed. You have crushed it. Now, what do you propose to do? Vattel tells you, treat them kindly and then you will have peace; treat them unkindly, deal with them as unequal, treat them oppressively, and the time for a renewed struggle depends only upon their becoming convinced that they have a reasonable chance to make a renewed struggle successful; and if what you propose to do shall lead to delay, which I suppose may be the consequence of it, you will find that the people in the loyal States will be divided. They are now asking why is it, when not an arm is raised against the authority of the Government, that we have not peace? Why is it that on the contrary we have every day increased agitation? They see, a great many of them, that one means of having peace and quiet is to take the States back, to give them all the rights which the Constitution secures to them, to set the citizens of the States at work. Do this, let them be satisfied that they have the protection of the Government of the Union, as well as the protection of their own States, and the South soon will again blossom like the rose; her wealth in the past, great as it has been, will prove to be as nothing compared with what it will be in the future; and my life for it—I think I am warranted in so saying from my knowledge of the character of the men—my life for it, let them participate in all the rights which the Government was intended to secure to all, and so far from the country being imperilled, its increased strength, its enhanced power, will date from that happy day."

Mr. Hendricks, of Indiana, said: "Two purposes, it seems to me, are intended by this resolution; or at least two results are likely to be secured by its adoption in its present shape. The first is to have a congressional declaration that the States themselves, as States, have been in rebellion. The second is to make the impression upon the country that these States are only to be brought back into the Union again by an act of Congress. I do not believe in either of these propositions. The States have not been regarded as in rebellion. That has not been the language of the Executive proclamations; it has not been the language of Congress in its legislation in regard to the insurrection. The phraseology has heretofore been, 'States, the inhabitants of which have been declared to be in rebellion.' Certainly, the State of Virginia was one of the most prominent States in this rebellion. The weight that she brought to the cause when she seceded, and the power which she brought to the army during the war, made her a very conspicuous member of the Southern Confederacy that was attempted to be established. Yet all of Virginia was not regarded as in rebellion. Some of the counties



of the State of Virginia were excepted, as I now recollect, by the President in his proclamation declaring what portions of the territory of the United States were in rebellion. The State was never declared to be in rebellion as a State; but the inhabitants of portions of the State of Virginia were declared to be in rebellion. Why, at the close of the war, after it is over, shall we adopt language that was not used during the pendency of the war or at its commencement—legislative language, if you please—to give a character to the rebellion which it has not had heretofore?

"My great objection to this resolution is that it undertakes to establish the idea in the country that these States have to be brought back into the Union by an act of Congress, which I do not believe. I believe that in law the States are in the Union, and that all that is needed is to give them practical relations to the Federal Government in every respect. So far as that was within the power of the Executive, it has been done. The Executive department is exercising all of its powers within and over these States. In some of the States, I believe, the Federal judiciary is also exercising its powers. It now simply requires the action of Congress to give them their full rights as States in the Union. Therefore I do not think it is proper to say in this resolution that the States have been in rebellion, or to provide that the States are to be brought back again by an act of Congress. This is all I have to say upon the amendment."

Mr. Wade, of Ohio, said: "Mr. President, I am perfectly aware that a war is made—and I am willing to meet it anywhere—upon what are called the radicals of the country, and I am one of them. In olden times I was here in the Senate called an abolitionist, but they have changed the name since. They have all got to be abolitionists now, and they have changed my name to 'radical.'"

Mr. Conness: "A radical change."

Mr. Wade: "No, sir, it is not a radical change. My radicalism is exactly the same thing that what you called my abolitionism was. Sir, it has conquered you. Who dare get up to-day and say that he is not an abolitionist?"

Mr. Sumner: "And it will conquer again."

Mr. Wade: "Will conquer again! It has conquered. What do you call this tempest in a teapot now before us? Do you call that a war? Sir, it does not rise to the dignity of warfare. The attempt is put down now in the hearts of the people. God knows the reverberations from all parts of the country show that the attempt to war on the radicals will not rise to respectability enough to make a defence. I thank God for it, for, Mr. President, in the history of mankind, so far as I have read or know it, there never has been a time when parties were so organized on radical principles of justice and right. The party with whom I act appeal to no expediency, to none of your political policies; we dig down to the granite

of eternal truth, and there we stand, and they who assail us have to assail the great principles of the Almighty, for our principles are chained to His throne, and are as indestructible as the Almighty himself. And do you think by your puny attempts, by false, copperhead, miserable papers like this to assail us, and think to prevail over the principles which we have adopted? I want no warfare with anybody; but if you will make war upon such principles as we have adopted, it is the worse for you. You cannot prevail.

"I have been in these political warfares for a long time; I claim to be an old soldier in them. I stood in this Senate when there were not five men with me to support me, and then I rose here and told those who were inveighing like demons against the principles that they called abolitionism, that I was an abolitionist. To-day you are all abolitionists, not voluntarily, but by compulsion. Yes, sir, compulsory abolitionists, for who does not go for abolition? Your President is an abolitionist; every leading man of the South is compelled to say he is an abolitionist, whether he is at heart or not. Such are the triumphs of the great principles of right, justice, and liberty, which were abetted and advocated by the great party with whom I have acted and claim now to act.

"Talk not to me about resolutions or the veto of a bill making any successful opposition to the measures that we have brought forward now for the purpose of advancing right, liberty, and justice in the South and everywhere else. You may delay the blow, but come it will, for the decree is not of us, but of the Almighty; we shall prevail, and all you can do or say will not be able to prevail against it.

"I have wondered a great deal why men did not learn more about these things than they seem to do. Our principles are assailed now with just the same virulence that they used to be when we were in a small minority. I do not hold that they have triumphed thus far because of any superior capacity on our part. Certainly not. Why is it, then, that we, from the smallest of all beginnings, have conquered the prejudices of the people and conquered the predominant party of this country which had stood completely dominating the whole nation for more than forty years? Why is it that we have conquered you and now are triumphant here in this Senate and almost by two-thirds in both branches, with the whole nation at our backs? What miracle has wrought this change? None other than the great consoling fact that justice, liberty, and right are destined among the American people to succeed, and the gates of hell cannot prevail against them, although they are trying at this particular time very hard to do it.

"Mr. President, I did not rise to speak on this resolution. It has been here long enough. I wish we would come to a vote upon the subject. I did not intend to open my mouth upon it, and I should not have said any thing now but



for the fact that I have been assailed by forgeries and falsehoods here without the least foundation in the world. When I see things running as calmly, as glibly, and as triumphantly as the principles I advocate do now, I am content to sit still and see the hand of the Lord. I am not compelled to labor now. Formerly we had a little something to do, but now we may sit still, in perfect calmness, and see how right and justice will work themselves out.

"I say to you, Mr. President, that it will not be one month from to-day before any man who claims that he is not a radical here will wish to God he had been. I understand very well that, from the President of the United States to the copperhead and the sympathizer, the radicals are sought to be put down, but you ought to have found out that it requires hard wrestling to put them down. You have not the force you used to have to contend with them; and, as I said before, you do not seem to be capable of learning any thing.

"I tell you we are triumphant. The people are impatient; the people are ahead of any of us, but I do not intend that they shall be of me if I can help it. On the great principles of justice and right for which I have always contended in this body, I have always intended to be ahead of the great mass of the people, but they have overtaken me, and are now threatening to go ahead of me. If I could take another advance I would do it; but having grounded myself on the granite of eternal truth, as I said before, I do not see that I can get any further; that is my foundation, and I defy all opposition to it. I do not care whether I am assailed by Presidents and called a traitor, or by somebody else; I do not care who it is that assails me or from whom the assault comes; it does not shake my nerves at all. I have seen times when a man wanted more faith to believe in the triumphant justice of God than now. His course with this nation has been so manifest for years past that no man but an utter heathen can doubt that the Almighty arm is bared in defence of the principles we advocate. If now, backed by the impatience of the people, who are ready and eager for the contest on the issue that is sought to be joined with us, we should be backward, we should be the greatest cowards on God's earth. But we are not; and I say if Presidents or kings seek to make opposition to us, stand firm, my friends, and you that waver had better go back a little."

Mr. Dixon: "Waver in what?"

Mr. Wade: "Waver in the determination to do right and justice by all men. If you waver upon that, and think by expediency you can triumph, you are mistaken. You cannot do it; nobody can do it."

Mr. Cowan, of Pennsylvania, said: "I now come to the resolution of the committee which proposes to stop agitation and quiet the country by declaring that eleven States shall not have representation in Congress, or either branch of

the same, until Congress shall have declared such State entitled to such representation.

"Now, let us for one instant contemplate this most extraordinary proposition. Is it not a virtual setting aside or suspension of the Constitution itself until Congress shall be moved to declare it restored?

"That instrument declares that—

Representatives \* \* \* \* shall be apportioned among the several States which may be included within this Union according to their respective numbers, &c.

"And by an act of Congress, of March 4, 1862, a certain number of Representatives, fifty-six, were apportioned to the eleven States in question, fixing by law their constitutional right in this behalf.

"The resolution before us sets all that at naught, and declares that these States shall have no representation at all till Congress shall so decide. The Constitution further declares that—

The Senate of the United States shall be composed of two Senators from each State.

"And this resolution declares that eleven States shall have no Senators at all till Congress shall so decide.

"Now, it is well to know whether Congress or the Constitution is supreme in this respect. We have been in the habit of thinking Congress was but the creature of the Constitution; that its title to rule and legislate for the people was under and by virtue of that instrument. How, then, does it assume to disregard it? Has the Sabbath become greater than the Lord of the Sabbath? Has the stream risen above the fountain, and the servant above his master?

"But it is said these States have been in rebellion. Well, suppose they have? Rebellion is treason; treason is a crime, and ought to be punished. But can Congress inflict that punishment? The Constitution says emphatically:

No bill of attainder or *ex post facto* law shall be passed.

"Now, if Congress were to pass this resolution, it would be both; because it is a bill which of itself inflicts this deprivation of right upon the people of eleven States as a punishment for their alleged treason, which is a species of attainder known as a 'bill of pains and penalties,' and which has been held to be included in the prohibition of 'bills of attainder.' Again, even if that barrier was not in the way, there is another, equally impassable, lying in this. Up until this time it has never been the law of the United States that a community could be punished at all *en masse*, either for treason or any thing else, and if Congress were to attempt it now as a punishment for crimes already committed, it would be null and void; it would be an '*ex post facto* law,' and one expressly forbidden.

"The whole is monstrous, no matter in what light it may be viewed. We have seen how small a number of traitors there were even in the worst parts of the South, and that after the



people of all classes had been left by the Federal Government at the mercy of these fiends, men, women, and children; after they had suffered all the miseries of war as the consequence, then to turn round to them and say to them, 'We will not punish the rebels who are guilty and who have brought all these misfortunes upon you, but we will punish you who are innocent. Instead of saying to the traitors 'We will hang you for treason,' you say to the innocent people,' 'We will keep you out of Congress.' Think of it.

"We have no right to do this, either by law or in morals, and just as long as we persist in it, just so long will we be the allies of disunion, and enemies to the peace of the country. We hear it said here very often that in order to enable us to judge correctly and act advisedly in this matter we ought to have a general recognition of the State governments by Congress, that we may act together and avoid conflict. All this is plausible, but mischievous, because there is really not a doubt but that the present State governments are in the sole and undisputed possession of their several States, and are obeyed cheerfully as such. And the pretence that they require investigation and legislation to restore their relations with the Federal Government is only urged as it indirectly attains the end so much to be deprecated, namely, that of punishing the people in an unlawful and unconstitutional manner.

"Another and fatal objection to the course proposed in this resolution is that it provides for the joint action of the House and Senate in a matter which it is of the greatest moment should be kept entirely separate. If joint action can take place in cases of this kind, then the advantages which the country expected, and which it has realized, in the Senate of the United States, are lost to it perhaps forever.

"The constitutions of the two Houses are entirely different. The House of Representatives is national, representing numbers; the Senate is Federal, representing States. The great States of New York, Pennsylvania, Ohio, Illinois, are therefore potent in the House, but in the Senate, Rhode Island, Delaware, Vermont, and New Hampshire are their equals, and serve as a kind of breakwater to prevent the effects of the sudden impulses of such heavy populations as inhabit the States first named. The Senate is indeed the bulwark of the smaller States, and they ought therefore to be the especial guardians of the Constitution, because it is only by maintaining the strictest reverence for it they can expect to maintain their equal rights. I have been much surprised therefore to find Senators on this floor, whose interests of all others were most in danger, show such apathy with regard to these innovations, which if they are ever to become precedents will assuredly work the destruction of the lesser States.

"Now, the Constitution expressly provides that—

Each House shall be the judge of the elections, returns, and qualifications of its own members.

"A provision that must strike every one at first sight as necessary if the bodies are to be a check one upon the other. Because if the Senate had to decide who shall go into the House or who shall not go in, the House would soon become the creature of the Senate and dependent upon it for its existence; and so if the Senate were to allow the House the same rights over its members. This resolution, however, very ungenerously selects only a single point upon which to apply the joint action complained of, and that is this: that both Houses shall jointly decide which are the States entitled to representation. That is the whole of it.

"Now, Mr. President, can any thing be clearer than that this very question has been already settled authoritatively and beyond dispute? Has not the Constitution settled it? Is it not to be found on every line and page of our laws—and especially in the act of March 4, 1862?

"Then, if this be so, the joint committee prevents the Senate from deciding on the elections, returns, and qualifications of its members, because it gets behind the whole and denies the right of States to members at all. It does not deny but that they have Legislatures competent to elect—if it did, the answer would be obvious: the Senate will decide that on the question of elections—but it declares at once, boldly, that although the people of these States are desirous of submitting to the laws they offended against, we will impose upon them a new penalty not known to the law.

"Mr. President, I think I have shown beyond question that at the breaking out of the rebellion there was not any considerable number of people, in any of the States in question, who ever were guilty of treason to the United States, if we admit the law to be as I hold it is, namely, that if the legitimate Government of any country suffers itself to be dispossessed and a hostile Government to be established and put in possession in its stead, so that it cannot protect its citizens in their resistance to such hostile Government, then it cannot punish them for acts done afterward under the authority of and in obedience to the hostile government; such acts cannot amount to treason, and the law excuses them.

"I think I have also shown that the moment the rebels yield and surrender, they are immediately in the custody of the law, and can only be subjected to such punishment as it provides—to be inflicted upon them through the courts according to 'due process' of law.

"I have shown that for any guilty part taken by the people in the late war, that the sufferings and losses they endured in that war were the natural and sufficient punishment; that after it they remained purged, and ought to be remitted to all their constitutional rights at once.



"That it is due to the dignity of the United States as a great nation if she punishes the actual traitors who incited the rebellion that it be done solemnly and according to the strictest form of law, in open courts, where the prisoners may have counsel and witnesses so that they may make their defence, if they have any.

"That according to the Constitution and laws, all the States are still in the Union; that secession ordinances could not repeal the one nor war set aside the other; that they are neither dead by forfeiture or *felo de se*, but are now in full and perfect existence with all their municipal machinery in full play.

"That the proposition of the committee of fifteen to amend the Constitution is fundamental and revolutionary, and destructive of the freedom of the States and the liberties of the people; that it is a threat to deprive them of their rights by compelling them either to admit negroes to the right of suffrage or to give up a share of their representation, which is theirs by law and the last amendment to the Constitution.

"That the resolution now before us from the same committee is also revolutionary and destructive, being an attempt to suspend the Constitution and laws in regard to representation in Congress over eleven States of the Union until Congress shall see fit to restore them. It is a declaration on the part of the members of the present House and Senate, that having the means of keeping these States from being represented here, they are going to do so as long as they please; that no one of these measures can be justified as a punishment for the rebellion; that the Constitution forbids them as bills of pains and penalties, and as *ex post facto* in their character.

"Then, sir, here at the conclusion, I will endeavor to answer a question which has been so often put; and with that air of braggart triumph that indicates an answer impossible. The question is this: 'Would you bring back here into the Senate rebels and traitors, the authors of all our troubles, whose hands are yet red with the blood of our slaughtered people? And if not, how do you propose to avoid it unless you deny these States representation for a time at least?'

"To all this I answer, no, as emphatically as any other Senator can do; but I would keep them out in a very different way from that proposed. I would keep them out by following the mode and seeking the remedy afforded by the Constitution and laws, instead of adopting a course forbidden by both and unjust in itself. I would keep out traitors, not keep out States; I would punish criminals, and not enslave communities; I would single out the guilty, and not confound the innocent with them.

"Is not this easy? When the traitor asks admission here, you can arrest him for his treason; you can commit him for trial; and the offence is not bailable. I suppose everybody will agree

that would keep him out, at least till he is tried. It has another great advantage, too: it is lawful, and none can complain of it.

"After the trial, if acquitted, he is not a traitor, and his case presents no difficulty. If he is convicted, attainted, and hanged, I suppose that would allay all fears of his return.

"Now, Mr. President, when I think how obvious and effectual this plan would be, I am amazed that it should have ever entered into the human mind to contrive another. Why is it not adopted? Sir, I am afraid to answer. I am afraid there are patriots who would prefer to let treason go unwhipped rather than they should risk their own hold on power. It looks to me much like that; and if so, I am sorry that any man can be so short-sighted as not to see the fatal consequences of such an exchange as this. Does it not say, your treason may go if you let us rule the country?

"One word more and I am done. The country is alarmed, the people are anxious, and the political atmosphere bodes the coming of no common storm. What can we do to prevent it and bring back peace to the country and harmony to the party? Is there no common ground on which we can stand? Is there no common standard round which we can rally? I think there is, sir. Surely, we may go back to the Constitution which we have all sworn to support. We can go back to the laws and enforce them without dissension among ourselves. Then there are things which we may avoid doing. We may avoid new measures on which we cannot agree, and which only serve as wedges to split us further and further asunder.

"Mr. President, why these new measures? Who is bound to the support of a new measure except the author of it? What member of a party is bound to a new measure not in contemplation of the party at the time it was organized, at the time its platform was laid down, except the author; and if dissension and division spring up from the new measure, who is responsible for that? The man who stands on the record, or the man who introduces the new measure? The man who catches the foxes and ties their tails so as to send them into the standing corn, or the men who do not? These are questions that the country are coming to ask. They will ask, who did this thing, who brought this about? Was the Freedmen's Bureau in the Baltimore platform? Was it in the Chicago platform? Where did the party agree to that as a party? Where was that laid down as a line to which all party men should come? The pretence is absurd. The Freedmen's Bureau bill is not now and never was a party measure, except with some few people who took it into their heads that it was a very good thing. Nobody blamed them for that; they had a right to believe that; but other people who did not believe it are not to be ostracized on that account, particularly if those who did not believe it thought that in itself it was not



only inexpedient and impolitic, but that it was unconstitutional.

"Now, Mr. President, I say the country is beginning to inquire who introduced this cause of dissension; who started this wedge which is to drive and drive until it separates the great Republican party? I say it is perfectly plain that the man who started the new measure, the man who persists in it, the man who ostracizes and denounces everybody who differs with him about it. I think, Mr. President, that is so plain that he who runs may read. Certainly there can be no doubt about that.

"Then, in conclusion, I have only to say that if we refuse these moderate counsels, if we refuse to abandon these *nova res*, these new things, the only remedy will be to take the consequences, and they seldom linger long behind the act."

Mr. Doolittle, of Wisconsin, said: "Mr. President, if we choose to admit or refuse to admit Senators upon this floor, what have the House of Representatives to do about it? Can they send their Sergeant-at-Arms over here and take out our members? Can they send over their Sergeant-at-Arms and put members into this body? Can the Supreme Court do it? Suppose they decide that somebody has a right to come into this body or that he ought to be kept out, can they send their marshal to the Senate with their decree that A B and C D shall take their places in the Senate of the United States, or can they send over their marshal with their decree that A B or C D shall be taken from this body? Not at all. The idea that the President of the United States can send down any person here directing that A B or C D shall be admitted into this body, or that A B and C D shall be removed from this body, is equally preposterous, absurd, and revolutionary.

"It is because I, as an individual member of this Senate, insist that, upon this question of judging upon the right of representation in this body from every State, this body is independent of the House of Representatives, independent of the Supreme Court, independent of the Executive, independent of everybody under heaven, that I oppose the resolution that is now pending before the Senate—a resolution which on its face purports to be no law and has no binding effect. It binds nobody except as a man may be bound by a caucus resolution. You may say it binds his honor. It pledges him, that is all. This resolution has no effect. It is as void as a blank piece of paper, so far as any legal effect is concerned. But there is contained in this resolution a proposition that we as Senators pledge ourselves that we will not act upon the question of the admission of Senators of this body until the House gives their consent. This is, substantially, a mere caucus arrangement anyhow. It is not legislation. It is merely the expression of the opinion of gentlemen in the House of Representatives and gentlemen sitting here in the Senate that the two Houses of Congress have no authority

to go into an examination of the right of representatives to seats here until the two Houses by joint resolution or act of Congress agree. That is my objection to this resolution."

Mr. Saulsbury, of Delaware, said: "It is sometimes said on the other side of the House that certain doctrines uttered upon this side are repudiated. Sir, I do not know that this side of the House has distinctly announced any opinions through this debate. We have kept very quiet. It seems a division has been gotten up on the other side of the House between what are called the radicals and the conservatives. The Democratic portion of this body have sometimes been referred to as operating with the conservatives and as against the radicals. I think that any fair and impartial observer of what transpires here will bear testimony to the truth of what I now say. We have taken no sides in this quarrel. It is a division among the gentlemen themselves. They exercised what they supposed to be and what was, if they believed the bill to be a constitutional bill, the constitutional right of passing what was called the Freedmen's Bureau bill. The President of the United States in returning it with his objections exercised a perfectly constitutional right. Because he did so there was a very considerable manifestation of disapprobation of his action. When his veto message came in, the Democratic portion of this House voted upon that subject precisely as they voted before. But will my radical friends—as they seem to glory in the appellation of radicals—allow me to make one remark? In the great issue which they have made upon the President, and not the President upon them, they are pretty much in the situation, in my opinion, of the crazy man who got on the railroad track in the far West, where they had never before seen a car. It being announced that the cars would run on a certain day he went out and placed himself near a station, and as the train came along threw up his hat and his arms. The engineer, supposing that something was on the track, stopped the train and inquired what was the matter. The man replied, 'I want you to know, sir, that I, after having fought the lions of Bashan, am not going to be scared by a certain kind of hen-coop set up on wheels.' Sir, Andrew Johnson has laid the track, the car is in motion, and if our radical friends do not want to get run over they had better get off the track."

Mr. McDougall, of California, followed, saying: "I do not rise in my place now to enter into any lengthy discussion, for I would not trespass on the time of the Senator from Massachusetts who has been kind enough to afford me an opportunity of saying a few words. I choose not to engage in a general discussion of the questions that have been debated here, but to say a few words only as to the pending question. I have not been able yet to comprehend in the mind of a fair-minded and just man who speaks the truth, or who desires to speak it, the



possibility of his undertaking to overcome the Constitution of the United States by a resolution of the two Houses. That is the proposition pending, to overcome the plain letter of the Constitution of the United States by a resolution of the two Houses. There is a crime known to criminal law as obtaining property by false pretences; and it is said, I believe, in that law, that if you pretend as to an after-fact, it is not a technical false pretence. If the swearing is as to a past fact, then the person charged, on the charges being proven, may be condemned and punished. It has struck me that it may be a grave question now, whether falsely swearing as to what one has done is perjury, while falsely swearing as to what one will do, is not. It has been the practice of our Government ever since it was instituted to swear all the State officers to support the Constitution of the State and the Constitution of the United States, and I suppose every gentleman on this floor has taken that oath many times. Falsely swearing as to what you will do, perhaps may not be technical perjury; but permit me to say that when gentlemen undertake to violate the Constitution which they have sworn to support, and dare to say that because what they propose to do is right they dare to violate their oaths, it is one of the technical ways of avoiding just conclusions, which has been condemned by all just men, and will be condemned above."

Mr. Fessenden, of Maine, closed the debate, saying: "Now, sir, it will be observed that the resolution does not declare that neither body shall have the right to admit members until Congress has made a declaration upon the subject. There is nothing said about the right in any way or in any terms. It is precisely what I designated it to be the other day, a mere legislative declaration of our opinion and determination that, until Congress has declared the State (whichever one it may be that is before us) to be in a condition to be represented here, neither body will act upon the credentials of members.

"It will be noticed, and I say this in answer to what has been said by the honorable Senator from Connecticut (Mr. Dixon) as well as the honorable Senator from Wisconsin (Mr. Doolittle), that in no way does the resolution touch the question, as commonly understood, of the elections, qualifications, and returns of members. It leaves that matter precisely where it found it. It does not undertake to judge on the subject or to investigate it; and, in accordance with that idea, all the credentials which have been laid before the body, instead of being sent to the committee, have been simply laid upon the table.

"Now, Senators inquire, why will you deprive yourselves of the power to do certain things? The question of the admission of a member is in the hands of a majority of the body. The majority can control it always. It can do as it pleases with reference to it. If a majority of this body thinks that it is advisable

that Congress should first settle the question of the condition of the States, whether the States have placed themselves in a condition to send members here, they have the unquestionable power to lay those credentials on the table, and to keep them there until that question has been determined to their satisfaction. The Senate having that power to lay these credentials on the table and keep them there, is it a great stretch of power, is it going beyond their jurisdiction, to say that we will not take them from the table—for it is the majority that is to determine the question of qualifications and every thing else—until both branches have come to the conclusion that they shall be taken from the table in each branch and be acted upon? It is nothing but a legislative declaration of the course we intend to pursue with reference to the credentials that have been laid on our table, and I should like to inquire of anybody whether we have not the perfect right to do it? Even after we have done it, after we have made that legislative declaration—which I deem it important to make, because I think the power of Congress over the question of the condition of these States has been questioned—we, as a Senate, I concede, can, in spite of this legislative declaration, at any moment take them from the table and act upon them without asking the consent of the House of Representatives, and the House can, on its own side, in spite of this resolution, if passed, take the credentials of those claiming to be members of that House from its table and act upon them if it pleases. There is no question about that; and therefore this resolution is precisely what I described it to be—nothing in the world but a legislative declaration that we do not deem it advisable, and do not mean, and do not intend, to act upon the question of the admission of individuals who come here claiming seats, until Congress, both branches, shall have investigated and settled the question of the condition of the States.

"Now, sir, for one I am free to say if matters should go so far as to show that either House was acting unreasonably, wilfully, from temper, unjustly, so as to produce improper delay, I should conclude that it was time to reverse this action so far as this body was concerned.

"The ground on which I put this resolution originally—and Congress can at any time pass a law to the same effect if it pleases—was simply that we owed it to ourselves that this matter should be properly investigated, should be investigated by both branches, should be investigated in such a manner as to enable us to come to a conclusion which should be satisfactory, and that it had better be done by a joint committee of both branches; because it would be a very serious matter if one branch were to come to one conclusion and admit members, and the other branch were to come to the opposite conclusion and refuse to admit members. Under the circumstances by which we are surrounded, I have thought that Congress, by the concurrence of both branches, should first settle the



question which lies at the foundation, whether the States were in a condition and had the right as well as the power (if you choose to admit that) to send members here."

The question was taken on the resolution, and it was adopted by the following vote :

**YEAS**—Messrs. Anthony, Brown, Chandler, Clark, Conness, Cragin, Creswell, Fessenden, Foster, Grimes, Harris, Henderson, Howe, Kirkwood, Lane of Indiana, Morrill, Nye, Poland, Pomeroy, Ramsey, Sherman, Sprague, Sumner, Trumbull, Wade, Wiley, Williams, Wilson, and Yates—29.

**NAYS**—Messrs. Buckalew, Cowan, Davis, Dixon, Doolittle, Guthrie, Hendricks, Johnson, Lane of Kansas, McDougall, Morgan, Nesmith, Norton, Riddle, Saulsbury, Stewart, Stockton, and Van Winkle—18.

**ABSENT**—Messrs. Foot, Howard, and Wright—3.

In the House, on February 26th, Mr. McClurg, of Missouri, offered the following resolution, which was referred to the joint Committee on Reconstruction—yeas 102, nays 27.

*Whereas*, it is the opinion of this House, that the continued contumacy in the seceding States renders it necessary to exercise congressional legislation in order to give the loyal citizens of those States protection in their natural and personal rights enumerated in the Constitution of the United States, and, in addition thereto, makes it necessary to keep on foot a large standing army to secure the present enjoyment of those rights, to maintain the authority of the national Government, and to keep the peace; and whereas the country is already heavily burdened by a war debt incurred to defend the nationality against an infamous rebellion, and it is neither just nor politic to inflict this vast additional expense on the peaceful industry of the nation: Therefore,

*Resolved*, That it be referred to the joint committee of fifteen of the Senate and House to ascertain whether such contumacy be clearly manifest, and if so to inquire into the expediency of levying contributions on the disloyal inhabitants of such seceding States, to defray the extraordinary expenses that will otherwise be imposed on the General Government; and that said committee be instructed to report by bill or otherwise.

Mr. Bingham, from the joint committee, reported the following:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled* (two-thirds of both Houses concurring), That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of the said Legislatures, shall be valid as part of said Constitution, namely:

**ARTICLE** —. The Congress shall have power to make all laws which shall be necessary and proper to secure to the citizens of each State all privileges and immunities of citizens in the several States, and to all persons in the several States equal protection in the rights of life, liberty, and property.

Mr. Ashley, of Ohio, on March 5th, offered the following:

*Resolved by the House of Representatives* (the Senate concurring), That the Constitution of the United States confers on Congress ample power for the protection of the emancipated slaves and freedmen in the States recently in rebellion.

*Resolved*, That in behalf of the loyal American people, the Congress of the United States pledge full and complete protection to all loyal men, irrespective of race or color, residing in the States recently in rebel-

lion, and especially to the soldiers and sailors who served in the Union army and navy, and to this end the Congress will demand such guaranties as to them shall seem sufficient, before recognizing any of the new State governments which now are or which hereafter may be organized, either under the order and direction of the President or by an independent movement of the loyal people in any such State.

*Resolved*, That the Union party of the nation, represented in Congress, earnestly desire that all States recently in rebellion shall, at the earliest moment consistent with the safety of the national Union, be restored to all the privileges, rights, and dignities of the States of the American Union which have not been in rebellion, and that so soon as constitutional State governments are organized therein, which shall secure, by constitutional provisions, the rights of all loyal men, without regard to race or color, and when the people of such States shall have elected men of undoubted loyalty as Senators and Representatives, the Congress of the United States will recognize such government as the constitutional government of such State.

*Resolved*, That in addition to the foregoing, Congress will also demand, as a condition to the complete restoration of any reorganized State, the entire exemption of every citizen from liability to taxation for payment of the rebel debt, or reimbursement either of expenditure incurred by State or local authorities, in aid of the rebellion, or for loss incurred by the emancipation of slaves.

On April 30th, Mr. Stevens, of Pennsylvania, from the joint committee, reported as follows:

A joint resolution proposing an amendment to the Constitution of the United States.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled* (two-thirds of both Houses concurring), That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid as part of the Constitution, namely:

**ARTICLE** —. *Sec. 1.* No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

*Sec. 2.* Representatives shall be apportioned among the several States which may be included within this Union according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But whenever in any State the elective franchise shall be denied to any portion of its male citizens not less than twenty-one years of age, or in any way abridged, except for participation in rebellion or other crime, the basis of representation in such State shall be reduced in the proportion which the number of male citizens shall bear to the whole number of such male citizens not less than twenty-one years of age.

*Sec. 3.* Until the 4th day of July, in the year 1870, all persons who voluntarily adhered to the late insurrection, giving it aid and comfort, shall be excluded from the right to vote for Representatives in Congress, and for electors for President and Vice-President of the United States.

*Sec. 4.* Neither the United States nor any State shall assume or pay any debt or obligation already incurred, or which may hereafter be incurred, in aid of insurrection or of war against the United States, or any claim for compensation for loss of involuntary service or labor.

*Sec. 5.* The Congress shall have power to enforce by appropriate legislation the provisions of this article.

Its consideration was postponed to a sub-



sequent day. At the same time Mr. Stevens further reported, as follows:

A bill to provide for restoring the States lately in insurrection to their full political rights.

*Whereas*, it is expedient that the States lately in insurrection should, at the earliest day consistent with the future peace and safety of the Union, be restored to full participation in all political rights: and whereas the Congress did, by joint resolution, propose for ratification to the Legislatures of the several States, as an amendment to the Constitution of the United States, an article in the following words, to wit:

ARTICLE —. *Sec. 1.* No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

*Sec. 2.* Representatives shall be apportioned among the several States which may be included within this Union, according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But whenever, in any State, the elective franchise shall be denied to any portion of its male citizens not less than twenty-one years of age, or in any way abridged except for participation in rebellion or other crime, the basis of representation in such State shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens not less than twenty-one years of age.

*Sec. 3.* Until the 4th day of July, in the year 1870, all persons who voluntarily adhered to the late insurrection, giving it aid and comfort, shall be excluded from the right to vote for Representatives in Congress, and for electors for President and Vice-President of the United States.

*Sec. 4.* Neither the United States nor any State shall assume or pay any debt or obligation already incurred, or which may hereafter be incurred, in aid of insurrection or of war against the United States, or any claim for compensation for loss of involuntary service or labor.

*Sec. 5.* The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

Now, therefore,

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That whenever the above-recited amendment shall have become part of the Constitution of the United States, and any State lately in insurrection shall have ratified the same, and shall have modified its constitution and laws in conformity therewith, the Senators and Representatives from such State, if found duly elected and qualified, may, after having taken the required oaths of office, be admitted into Congress as such.

*Sec. 2. And be it further enacted*, That when any State lately in insurrection shall have ratified the foregoing amendment to the Constitution, any part of the direct tax under the act of August 5, 1861, which may remain due and unpaid in such State may be assumed and paid by such State; and the payment thereof, upon proper assurances from such State to be given to the Secretary of the Treasury of the United States, may be postponed for a period not exceeding ten years from and after the passage of this act.

Its consideration was postponed to a subsequent day. At the same time Mr. Stevens further reported, as follows:

A bill declaring certain persons ineligible to office under the Government of the United States.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress*

*assembled*, That no person shall be eligible to any office under the Government of the United States who is included in any of the following classes, namely:

1. The President and Vice-President of the Confederate States of America, so called, and the heads of departments thereof.

2. Those who in other countries acted as agents of the Confederate States of America, so called.

3. Heads of Departments of the United States, officers of the Army and Navy of the United States, and all persons educated at the Military or Naval Academy of the United States, judges of the courts of the United States, and members of either House of the Thirty-sixth Congress of the United States who gave aid or comfort to the late rebellion.

4. Those who acted as officers of the Confederate States of America, so called, above the grade of colonel in the army or master in the navy, and any one who, as Governor of either of the so-called Confederate States, gave aid or comfort to the rebellion.

5. Those who have treated officers or soldiers or sailors of the army or navy of the United States, captured during the late war, otherwise than lawfully as prisoners of war.

Its consideration was also postponed to a subsequent day.

In the House, the consideration of the joint resolution for the amendment of the Constitution came up for consideration on March 8th. Mr. Stevens, of Pennsylvania, said: "I beg gentlemen to consider the magnitude of the task which was imposed upon the committee. They were expected to suggest a plan for rebuilding a shattered nation—a nation which though not dissevered was yet shaken and riven by the gigantic and persistent efforts of six million able and ardent men; of bitter rebels striving through four years of bloody war. It cannot be denied that this terrible struggle sprang from the vicious principles incorporated into the institutions of our country. Our fathers had been compelled to postpone the principles of their great Declaration, and wait for their full establishment till a more propitious time. That time ought to be present now. But the public mind has been educated in error for a century. How difficult in a day to unlearn it! In rebuilding, it is necessary to clear away the rotten and defective portions of the old foundations, and to sink deep and found the repaired edifice upon the firm foundation of eternal justice. If, perchance, the accumulated quicksands render it impossible to reach in every part so firm a basis, then it becomes our duty to drive deep and solid the substituted piles on which to build. It would not be wise to prevent the raising of the structure because some corner of it might be founded upon materials subject to the inevitable laws of mortal decay. It were better to shelter the household and trust to the advancing progress of a higher morality and a purer and more intelligent principle to underpin the defective corner.

"I would not for a moment inculcate the idea of surrendering a principle vital to justice. But if full justice could not be obtained at once, I would not refuse to do what is possible. The commander of an army who should find his



enemy intrenched on impregnable heights would act unwisely if he insisted on marching his troops full in the face of a destructive fire merely to show his courage. Would it not be better to flank the works and march round and round and besiege, and thus secure the surrender of the enemy, though it might cost time? The former course would show valor and folly; the latter moral and physical courage, as well as prudence and wisdom.

"This proposition is not all that the committee desired. It falls far short of my wishes, but it fulfils my hopes. I believe it is all that can be obtained in the present state of public opinion. Not only Congress but the several States are to be consulted. Upon a careful survey of the whole ground, we did not believe that nineteen of the loyal States could be induced to ratify any proposition more stringent than this. I say nineteen, for I utterly repudiate and scorn the idea that any State not acting in the Union is to be counted on the question of ratification. It is absurd to suppose that any more than three-fourths of the States that propose the amendment are required to make it valid; that States not here are to be counted as present. Believing, then, that this is the best proposition that can be made effectual, I accept it. I shall not be driven by clamor or denunciation to throw away a great good because it is not perfect. I will take all I can get in the cause of humanity, and leave it to be perfected by better men in better times. It may be that that time will not come while I am here to enjoy the glorious triumph; but that it will come is as certain as that there is a just God.

"The House should remember the great labor which the committee had to perform. They were charged to inquire into the condition of eleven States of great extent of territory. They sought, often in vain, to procure their organic laws and statutes. They took the evidence of every class and condition of witness, from the rebel vice-president and the commander-in-chief of their armies down to the humblest freedman. The sub-committees who were charged with that duty—of whom I was not one, and can therefore speak freely—exhibited a degree of patience and diligence which was never excelled. Considering their other duties, the mass of evidence taken may be well considered extraordinary. It must be remembered, also, that three months since, and more, the committee reported and the House adopted a proposed amendment fixing the basis of representation in such way as would surely have secured the enfranchisement of every citizen at no distant period. That, together with the amendment repudiating the rebel debt, which we also passed, would have gone far to curb the rebellious spirit of secession, and to have given to the oppressed race their rights. It went to the other end of the Capitol, and was there mortally wounded in the house of its friends.

"After having received the careful examination and approbation of the committee, and

having received the united Republican vote of one hundred and twenty Representatives of the people, it was denounced as 'utterly reprehensible' and 'unpardonable;' 'to be encountered as a public enemy;' 'positively endangering the peace of the country; and covering its name with dishonor.' 'A wickedness on a larger scale than the crime against Kansas or the fugitive slave law; gross, foul, outrageous; an incredible injustice against the whole African race;' with every other vulgar epithet which polished cultivation could command. It was slaughtered by a puerile and pedantic criticism, by a perversion of philological definition which, if when I taught school a lad who had studied Lindley Murray had assumed, I would have expelled him from the institution as unfit to waste education upon. But it is dead, and unless this (less efficient, I admit) shall pass, its death has postponed the protection of the colored race perhaps for ages. I confess my mortification at its defeat. I grieved especially because it almost closed the door of hope for the amelioration of the condition of the freedmen. But men in pursuit of justice must never despair. Let us again try and see whether we cannot devise some way to overcome the united forces of self-righteous Republicans and unrighteous copperheads. It will not do for those who for thirty years have fought the beasts at Ephesus to be frightened by the fangs of modern catamounts.

"Let us now refer to the provisions of the proposed amendment.

"The first section prohibits the States from abridging the privileges and immunities of citizens of the United States, or unlawfully depriving them of life, liberty, or property, or of denying to any person within their jurisdiction the 'equal' protection of the laws.

"I can hardly believe that any person can be found who will not admit that every one of these provisions is just. They are all asserted, in some form or other, in our DECLARATION or organic law. But the Constitution limits only the action of Congress, and is not a limitation on the States. This amendment supplies that defect, and allows Congress to correct the unjust legislation of the States, so far that the law which operates upon one man shall operate *equally* upon all. Whatever law punishes a white man for a crime shall punish the black man precisely in the same way and to the same degree. Whatever law protects the white man shall afford 'equal' protection to the black man. Whatever means of redress is afforded to one shall be afforded to all. Whatever law allows the white man to testify in court shall allow the man of color to do the same. These are great advantages over their present codes. Now different degrees of punishment are inflicted, not on account of the magnitude of the crime, but according to the color of the skin. Now color disqualifies a man from testifying in courts, or being tried in the same way as white men. I need not enumerate these partial and



oppressive laws. Unless the Constitution should restrain them, those States will all, I fear, keep up this discrimination, and crush to death the hated freedmen. Some answer, 'Your civil rights bill secures the same things.' That is partly true, but a law is repealable by a majority. And I need hardly say that the first time that the South with their copperhead allies obtain the command of Congress it will be repealed. The veto of the President and their votes on the bill are conclusive evidence of that. And yet I am amazed and alarmed at the impatience of certain well-meaning Republicans at the exclusion of the rebel States until the Constitution shall be so amended as to restrain their despotic desires. This amendment once adopted cannot be annulled without two-thirds of Congress. That they will hardly get. And yet certain of our distinguished friends propose to admit State after State before this becomes a part of the Constitution. What madness! Is their judgment misled by their kindness; or are they unconsciously drifting into the haven of power at the other end of the avenue? I do not suspect it, but others will.

"The second section I consider the most important in the article. It fixes the basis of representation in Congress. If any State shall exclude any of her adult male citizens from the elective franchise, or abridge that right, she shall forfeit her right to representation in the same proportion. The effect of this provision will be either to compel the States to grant universal suffrage or so to shear them of their power as to keep them forever in a hopeless minority in the national Government, both legislative and executive. If they do not enfranchise the freedmen, it would give to the rebel States but thirty-seven Representatives. Thus shorn of their power, they would soon become restive. Southern pride would not long brook a hopeless minority. True it will take two, three, possibly five years before they conquer their prejudices sufficiently to allow their late slaves to become their equals at the polls. That short delay would not be injurious. In the mean time the freedmen would become more enlightened, and more fit to discharge the high duties of their new condition. In that time, too, the loyal Congress could mature their laws and so amend the Constitution as to secure the rights of every human being, and render disunion impossible. Heaven forbid that the Southern States, or any one of them, should be represented on this floor until such muniments of freedom are built high and firm! Against our will they have been absent for four bloody years; against our will they must not come back until we are ready to receive them. Do not tell me that there are loyal representatives waiting for admission—until their States are loyal they can have no standing here. They would merely misrepresent their constituents.

"I admit that this article is not as good as the one we sent to death in the Senate. In my judgment, we shall not approach the measure

of justice until we have given every adult freedman a homestead on the land where he was born and toiled and suffered. Forty acres of land and a hut would be more valuable to him than the immediate right to vote. Unless we give them this we shall receive the censure of mankind and the curse of Heaven. That article referred to provided that if one of the injured race was excluded the State should forfeit the right to have any of them represented. That would have hastened their full enfranchisement. This section allows the States to discriminate among the same class, and receive proportionate credit in representation. This I dislike. But it is a short step forward. The large stride which we in vain proposed, is dead; the murderers must answer to the suffering race. I would not have been the perpetrator. A load of misery must sit heavy on their souls.

"The third section may encounter more difference of opinion here. Among the people I believe it will be the most popular of all the provisions; it prohibits rebels from voting for members of Congress and electors of President until 1870. My only objection to it is that it is too lenient. I know that there is a morbid sensibility, sometimes called mercy, which affects a few of all classes, from the priest to the clown, which has more sympathy for the murderer on the gallows than for his victim. I hope I have a heart as capable of feeling for human woe as others. I have long since wished that capital punishment were abolished. But I never dreamed that all punishment could be dispensed with in human society. Anarchy, treason, and violence would reign triumphant. Here is the mildest of all punishments ever inflicted on traitors. I might not consent to the extreme severity denounced upon them by a provisional governor of Tennessee—I mean the late lamented Andrew Johnson of blessed memory—but I would have increased the severity of this section. I would be glad to see it extended to 1876, and to include all State and municipal as well as national elections. In my judgment we do not sufficiently protect the loyal men of the rebel States from the vindictive persecutions of their victorious rebel neighbors. Still I will move no amendment, nor vote for any, lest the whole fabric should tumble to pieces.

"I need say nothing of the fourth section, for none dare object to it who is not himself a rebel. To the friend of justice, the friend of the Union, of the perpetuity of liberty, and the final triumph of the rights of man and their extension to every human being, let me say, sacrifice as we have done your peculiar views, and instead of vainly insisting upon the instantaneous operation of all that is right accept what is possible, and 'all these things shall be added unto you.'

"I move to recommit the joint resolution to the Committee on Reconstruction."

Mr. Blaine, of Maine, arose to inquire if those to whom pardons had been granted by the



President would not be unjustly affected by the third section of the amendment. To which Mr. Stevens replied: "None of those who have been fully pardoned are affected by this provision."

Mr. Finck, of Ohio, thought it an inauspicious time to propose or make changes in the Constitution. He condemned the course which had been pursued by the majority in Congress; and said that, stripped of all disguises, the proposed measure was a mere scheme to deny representation to eleven States; to prevent indefinitely, a complete restoration of the Union, and perpetuate the power of a sectional and dangerous party. He further said:

"What is the theory on which these propositions are based?"

"This Union is composed of thirty-six States; and by law, in full force, but the provisions of which are defied and utterly disregarded, this House is legally and constitutionally to be composed of two hundred and forty-one members; but we have Representatives here from only twenty-five States, and only one hundred and eighty-four members.

"The constitutional number of Senators is two for each State, and when full that body would now consist of seventy-two, while it is in fact composed of but fifty. So that eleven States are denied all representation in both branches of Congress, although the Constitution provides 'that no State, without its consent, shall be deprived of its equal suffrage in the Senate;' and the right to representation in the House is equally clear.

"But this House by the mere exertion and combination of numbers excludes from its deliberations fifty-seven members; and the Senate by the same power excludes twenty-two members from a voice and vote in that chamber. And it is, sir, in this strange and extraordinary condition of our affairs that we are gravely invited to proceed to change the Constitution in such a manner as to deeply and materially affect every State whose representatives are excluded from Congress; and we are further asked to say to these States thus excluded, that if they refuse to debase themselves as equal States in the Union and decline to ratify and approve by affirmative action these changes, their exclusion shall be perpetual.

"I ask gentlemen to pause and reflect before they commit themselves to so monstrous and revolutionary a scheme as this."

Mr. Garfield, of Ohio, followed, and said: "First let me say I regret more than I shall be able to tell this House that we have not found the situation of affairs in this country such and the public virtue such that we might come out on the plain, unanswerable proposition that every adult intelligent citizen of the United States, unconvicted of crime, shall enjoy the right of suffrage." He expressed his entire approbation of the amendments, except the third, which was liable to a double construction relative to its effect upon those who had been

pardoned, and the whole section would have been far more defensible if the disfranchisement had been made perpetual.

The joint resolution was fully debated in the House until the 10th, when Mr. Stevens withdrew his motion to recommit and moved the previous question, which was seconded, and the main question ordered, when the joint resolution was passed by the following vote:

YEAS—Messrs. Alley, Allison, Ames, Anderson, Delos R. Ashley, James M. Ashley, Baker, Baldwin, Banks, Barker, Baxter, Beaman, Benjamin, Bidwell, Bingham, Blaine, Blow, Boutwell, Bromwell, Broomall, Buckland, Bundy, Reader W. Clark, Sidney Clarke, Cobb, Conkling, Cook, Cullom, Darling, Davis, Dawes, Defrees, Delano, Deming, Dixon, Dodge, Donnelly, Driggs, Dumont, Eckley, Eggleston, Eliot, Farnsworth, Ferry, Garfield, Grinnell, Griswold, Abner C. Harding, Hart, Hayes, Henderson, Higby, Holmes, Hooper, Hotchkiss, Asahel W. Hubbard, Chester D. Hubbard, Demas Hubbard, James R. Hubbell, Hulburt, James Humphrey, Ingersoll, Jenckes, Julian, Kasson, Kelley, Kelso, Ketcham, Kuykendall, Laffin, George V. Lawrence, William Lawrence, Loan, Longyear, Lynch, Marston, McClurg, McIndoe, McKee, McRuer, Mercur, Miller, Moorhead, Morrill, Morris, Moulton, Myers, Newell, O'Neill, Orth, Paine, Patterson, Perham, Pike, Plants, Price, William H. Randall, Raymond, Alexander H. Rice, John H. Rice, Rollins, Sawyer, Schenck, Schofield, Shellabarger, Spalding, Stevens, Stillwell, Thayer, Francis Thomas, John L. Thomas, Trowbridge, Upson, Van Aernam, Burt Van Horn, Robert T. Van Horn, Ward, Warner, Elihu B. Washburne, Henry D. Washburn, William B. Washburn, Welker, Williams, James F. Wilson, Stephen F. Wilson, Windom, Woodbridge, and the Speaker—128.

NAYS—Messrs. Ancona, Bergen, Boyer, Chanler, Coffroth, Dawson, Eldridge, Finck, Glossbrenner, Goodyear, Grider, Aaron Harding, Harris, Kerr, Latham, Le Blond, Marshall, McCullough, Niblack, Phelps, Radford, Samuel J. Randall, Ritter, Rogers, Ross, Rousseau, Shanklin, Sitgreaves, Smith, Strouse, Tabor, Taylor, Thornton, Trimble, Whaley, Winfield, and Wright—37.

NOT VOTING—Messrs. Brandagee, Culver, Denison, Farquhar, Hale, Hill, Hogan, John H. Hubbard, Edwin N. Hubbell, James M. Humphrey, Johnson, Jones, Marvin, Nicholson, Noell, Pomeroy, Sloan, Starr, and Wentworth—19.

In the Senate the debate on the joint resolution commenced on May 23d, by Mr. Howard, of Michigan, who endeavored to present the views and motives which influenced the committee in presenting the report. A great number of witnesses, he said, had been examined as to the political and social condition of the Southern States, and the result of their investigations was the joint resolution presented. He then stated the privileges and rights already secured under the Constitution to the citizens, and said: "Now, sir, there is no power given in the Constitution to enforce and to carry out any of these guaranties. They are not powers granted by the Constitution to Congress, and of course do not come within the sweeping clause of the Constitution authorizing Congress to pass all laws necessary and proper for carrying out the foregoing or granted powers, but they stand simply as a bill of rights in the Constitution, without power on the part of Congress to give them full effect; while at the same



time the States are not restrained from violating the principles embraced in them except by their own local constitutions, which may be altered from year to year. The great object of the first section of this amendment is, therefore, to restrain the power of the States and compel them at all times to respect these great fundamental guaranties. How will it be done under the present amendment? As I have remarked, they are not powers granted to Congress, and therefore it is necessary, if they are to be effectuated and enforced, as they assuredly ought to be, that additional power should be given to Congress to that end. This is done by the fifth section of this amendment, which declares that 'the Congress shall have power to enforce by appropriate legislation the provisions of this article.' Here is a direct affirmative delegation of power to Congress to carry out all the principles of all these guaranties, a power not found in the Constitution.

"The last two clauses of the first section of the amendment disable a State from depriving not merely a citizen of the United States, but any person, whoever he may be, of life, liberty, or property without due process of law, or from denying to him the equal protection of the laws of the State. This abolishes all class legislation in the States and does away with the injustice of subjecting one caste of persons to a code not applicable to another. It prohibits the hanging of a black man for a crime for which the white man is not to be hanged. It protects the black man in his fundamental rights as a citizen with the same shield which it throws over the white man. Is it not time, Mr. President, that we extend to the black man, I had almost called it the poor privilege of the equal protection of the law? Ought not the time to be now passed when one measure of justice is to be meted out to a member of one caste while another and a different measure is meted out to the member of another caste, both castes being alike citizens of the United States, both bound to obey the same laws, to sustain the burdens of the same Government, and both equally responsible to justice and to God for the deeds done in the body?

"But, sir, the first section of the proposed amendment does not give to either of these classes the right of voting. The right of suffrage is not, in law, one of the privileges or immunities thus secured by the Constitution. It is merely the creature of law. It has always been regarded in this country as the result of positive local law, not regarded as one of those fundamental rights lying at the basis of all society and without which a people cannot exist except as slaves, subject to a despotism.

"As I have already remarked, section one is a restriction upon the States, and does not, of itself, confer any power upon Congress. The power which Congress has, under this amendment, is derived, not from that section, but from the fifth section, which gives it authority to pass laws which are appropriate to the attainment

of the great object of the amendment. I look upon the first section, taken in connection with the fifth, as very important. It will, if adopted by the States, forever disable every one of them from passing laws trenching upon those fundamental rights and privileges which pertain to citizens of the United States, and to all persons who may happen to be within their jurisdiction. It establishes equality before the law, and it gives to the humblest, the poorest, the most despised of the race the same rights and the same protection before the law as it gives to the most powerful, the most wealthy, or the most haughty. That, sir, is republican government, as I understand it, and the only one which can claim the praise of a just Government. Without this principle of equal justice to all men and equal protection under the shield of the law, there is no republican government and none that is really worth maintaining.

"The second section of the proposed amendment does not recognize the authority of the United States over the question of suffrage in the several States at all; nor does it recognize, much less secure, the right of suffrage to the colored race. I wish to meet this question fairly and frankly; I have nothing to conceal upon it; and I am perfectly free to say that if I could have my own way, if my preferences could be carried out, I certainly should secure suffrage to the colored race to some extent at least; for I am opposed to the exclusion and proscription of an entire race. If I could not obtain universal suffrage in the popular sense of that expression, I should be in favor of restricted, qualified suffrage for the colored race. But, sir, it is not the question here what will we do; it is not the question what you, or I, or half a dozen other members of the Senate may prefer in respect to colored suffrage; it is not entirely the question what measure we can pass through the two houses; but the question really is, what will the Legislatures of the various States to whom these amendments are to be submitted do in the premises; what is it likely will meet the general approbation of the people who are to elect the Legislatures, three-fourths of whom must ratify our propositions before they have the force of constitutional provisions?

"Let me not be misunderstood. I do not intend to say, nor do I say, that the proposed amendment, section two, proscribes the colored race. It has nothing to do with that question, as I shall show before I take my seat. I could wish that the elective franchise should be extended equally to the white man and to the black man; and if it were necessary, after full consideration, to restrict what is known as universal suffrage for the purpose of securing this equality, I would go for a restriction; but I deem that impracticable at the present time, and so did the committee.

"The committee were of opinion that the States are not yet prepared to sanction so fundamental a change as would be the concession



of the right of suffrage to the colored race. We may as well state it plainly and fairly, so that there shall be no misunderstanding on the subject. It was our opinion that three-fourths of the States of this Union could not be induced to vote to grant the right of suffrage, even in any degree or under any restriction, to the colored race. We may be right in this apprehension or we may be in error. Time will develop the truth; and for one I shall wait with patience the movements of public opinion upon this great and absorbing question. The time may come, I trust it will come, indeed I feel a profound conviction that it is not far distant, when even the people of the States themselves where the colored population is most dense, will consent to admit them to the right of suffrage. Sir, the safety and prosperity of those States depend upon it; it is especially for their interest that they should not retain in their midst a race of pariahs, so circumstanced as to be obliged to bear the burdens of Government and to obey its laws without any participation in the enactment of the laws.

"The second section leaves the right to regulate the elective franchise still with the States, and does not meddle with that right.

"The three-fifths principle has ceased in the destruction of slavery and in the enfranchisement of the colored race. Under the present Constitution this change will increase the number of Representatives from the once slaveholding States by nine or ten. That is to say, if the present basis of representation, as established in the Constitution, shall remain operative for the future, making our calculations upon the census of 1860, the enfranchisement of their slaves would increase the number of their Representatives in the other House nine or ten, I think at least ten; and under the next census it is easy to see that this number would be still increased; and the important question now is, shall this be permitted while the colored population are excluded from the privilege of voting? Shall the recently slaveholding States, while they exclude from the ballot the whole of their black population, be entitled to include the whole of that population in the basis of their representation, and thus to obtain an advantage which they did not possess before the rebellion and emancipation? In short, shall we permit it to take place that one of the results of emancipation and of the war is to increase the Representatives of the late slaveholding States?

"The committee thought this should no longer be permitted, and they thought it wiser to adopt a general principle applicable to all the States alike, namely, that where a State excludes any part of its male citizens from the elective franchise, it shall lose Representatives in proportion to the number so excluded; and the clause applies not to color or to race at all, but simply to the fact of the individual exclusion. Nor did the committee adopt the principle of making the ratio of representation

depend upon the number of voters, for it so happens that there is an unequal distribution of voters in the several States, the old States having proportionally fewer than the new States. It was desirable to avoid this inequality in fixing the basis. The committee adopted numbers as the most just and satisfactory basis, and this is the principle upon which the Constitution itself was originally framed, that the basis of representation should depend upon numbers; and such, I think, after all, is the safest and most secure principle upon which the Government can rest. Numbers, not voters; numbers, not property; this is the theory of the Constitution.

"By the census of 1860, the whole number of colored persons in the several States was four million four hundred and twenty-seven thousand and sixty-seven. In five of the New England States, where colored persons are allowed to vote, the number of such colored persons is only twelve thousand one hundred and thirty-two. This leaves of the colored population of the United States in the other States unrepresented, four million four hundred and fourteen thousand nine hundred and thirty-five, or at least one-seventh part of the whole population of the United States. Of this last number, three million six hundred and fifty thousand were in the eleven seceding States, and only five hundred and forty-seven thousand in the four remaining slave States which did not secede, namely, Delaware, Maryland, Kentucky, and Missouri. In the eleven seceding States the blacks are to the whites, basing the calculation upon the census of 1860, nearly as three to five. A further calculation shows that if this section shall be adopted as a part of the Constitution, and if the late slave States shall continue hereafter to exclude the colored population from voting, they will do it at the loss at least of twenty-four Representatives in the other House of Congress, according to the rule established by the act of 1850. It is not to be disguised—the committee have no disposition to conceal the fact—that this amendment is so drawn as to make it the political interest of the once slaveholding States to admit their colored population to the right of suffrage. The penalty of refusing will be severe. They will undoubtedly lose, and lose so long as they shall refuse to admit the black population to the right of suffrage, that balance of power in Congress which has been so long their pride and their boast.

"I did not favor the third section of the amendment in the committee. I do not believe, if adopted, it will be of any practical benefit to the country. It will not prevent rebels from voting for members of the several State Legislatures. A rebel, notwithstanding this clause, may vote for a member of the State Legislature. The State Legislature may be made up entirely of disloyal elements, in consequence of being elected by a rebel constituency. That Legislature when assembled has the right, under the



Constitution, to appoint presidential electors itself if it shall choose to do so, and to refuse to refer that question to the people. It is the right of every State. It is very probable that the power of the rebel States would be used in exactly that way. We should therefore gain nothing as to the election of the next or any future President of the United States."

Mr. Wade, of Ohio, said: "I move to amend the joint resolution by striking out all after the word 'article' in line eight, and substituting the proposition which I send to the Chair to be read."

The Secretary read the words proposed to be inserted, as follows:

*Sec. 1.* No State shall make or enforce any law which shall abridge the privileges or immunities of persons born in the United States or naturalized by the laws thereof; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

*Sec. 2.* No class of persons as to the right of any of whom to suffrage discrimination shall be made, by any State, shall be included in the basis of representation, unless such discrimination be in virtue of impartial qualifications founded on intelligence or property, or because of alienage, or for participation in rebellion or other crime.

*Sec. 3.* The public debt of the United States, including all debts or obligations which have been or may hereafter be incurred in suppressing insurrection or in carrying on war in defence of the Union, or for payment of bounties or pensions incident to such war and provided for by law, shall be inviolable. But debts or obligations which have been or may hereafter be incurred in aid of insurrection or of war against the United States, and claims of compensation for loss of involuntary service or labor, shall not be assumed or paid by any State nor by the United States.

*Sec. 4.* The Congress shall have power to enforce by appropriate legislation the provisions of this article.

This amendment was subsequently withdrawn.

Mr. Wilson, of Massachusetts, said: "As amendments are being offered, I desire to submit an amendment, for the purpose of having it printed, to the second section of the article reported by the committee, and also an amendment to the third section."

The Secretary read the amendment proposed by Mr. Wilson to the second section, which was to strike out the section, and in lieu of it to insert the following words:

Representatives shall be apportioned among the several States according to their respective numbers; but if in any State the elective franchise is or shall be denied to any of its inhabitants, being male citizens of the United States above the age of twenty-one years, for any cause except insurrection or rebellion against the United States, the basis of representation in such State shall be reduced in the proportion which the number of male citizens so excluded shall bear to the whole number of male citizens over twenty-one years of age.

Mr. Wilson: "Before the other amendment is read, I wish to state in a single word the distinction between the proposition just read and the section of the committee's proposition for which it is offered as a substitute. In the original proposition the language is 'citizens of the State,' in this it is 'inhabitants, being

male citizens of the United States.' I think the distinction is of vital importance. Now, let the Secretary read my other proposition."

The Secretary read the proposed amendment, which was to strike out section three, and in lieu of it to insert the following:

That no person who has resigned or abandoned or may resign or abandon any office under the United States, and has taken or may take part in rebellion against the Government thereof, shall be eligible to any office under the United States or of any State.

Mr. Clark, of New Hampshire, said: "I desire to offer this as a substitute for the third section of the committee's resolution:

No person shall be a Senator or Representative in Congress, or be permitted to hold any office under the Government of the United States, who, having previously taken an oath to support the Constitution thereof, shall have voluntarily engaged in any insurrection or rebellion against the United States, or given aid or comfort thereto.

"I wish also to propose an amendment to the section in regard to the rebel debt, in these words:

Debts incurred in aid of rebellion or war against the United States are illegal and void, shall not be enforced in any court, or assumed or paid by the United States or any State, or by its authority; nor shall any compensation ever be made for the loss or emancipation of any slave.

Mr. Buckalew, of Pennsylvania, moved to add to the resolution the following additional section:

*Sec. 6.* This amendment shall be passed upon in each State by the Legislature thereof which shall be chosen, or the members of the most popular branch of which shall be chosen next after the submission of the amendment, and at its first session; and no acceptance or rejection shall be reconsidered or again brought in question at any subsequent session; nor shall any acceptance of the amendment be valid if made after three years from the passage of this resolution.

On May 29th, Mr. Johnson, of Maryland, moved to strike out the third section of the amendment, which motion was adopted unanimously.

Mr. Howard, of Michigan, then moved to amend section one of the article by adding after the words "section one," the following words, to constitute a part of the section:

All persons born in the United States and subject to the jurisdiction thereof are citizens of the United States and of the States wherein they reside.

He further moved to amend the second section by striking out the word "citizens," in the twentieth line, where it occurs, and inserting after the word "male" the words "inhabitants, being citizens of the United States;" and by inserting at the end of that section the words "any such State."

The third section, he said, "has already been stricken out. Instead of that section, or rather in its place, I offer the following:

*Sec. 3.* No person shall be a Senator or Representative in Congress, or an elector of President and Vice-President, or hold any office, civil or military, under the United States, or under any State, who, having previously taken an oath as a member of



Congress, or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof; but Congress may, by a vote of two-thirds of each House, remove such disability.

"The following is to come in as section four:

The obligations of the United States incurred in suppressing insurrection, or in defence of the Union, or for payment of bounties or pensions incident thereto, shall remain inviolate.

"Section four, as it now stands, will be changed to section five, and I propose to amend that section as follows: strike out the word 'already,' in line thirty-four, and also the words 'or which may hereafter be incurred,' in line thirty-five, and also the words 'or of war' in lines thirty-five and thirty-six, and insert the word 'rebellion' in lieu thereof; and also strike out the words 'loss of involuntary service or labor' in line thirty-seven, and insert 'the loss or emancipation of any slave; but all such debts, obligations, and claims shall be forever held illegal and void.'"

Mr. Sumner, of Massachusetts, said: "I wish to give notice of an amendment which at the proper time I intend to offer to Senate bill No. 292, entitled 'A bill to provide for restoring to the States lately in insurrection their full political rights.' It is to strike out all after the enacting clause of the first section and to insert a section as a substitute which I ask to have printed."

The Secretary read it, as follows:

Strike out all after the enacting clause of the first section of the bill and insert in lieu thereof the following:

That when any State lately in rebellion shall have ratified the foregoing amendment and shall have modified its constitution and laws in conformity therewith, and shall have further provided that there shall be no denial of the elective franchise to citizens of the United States because of race or color, and that all persons shall be equal before the law, the Senators and Representatives from such State, if found duly elected and qualified, may, after having taken the required oaths of office, be admitted into Congress as such: *Provided*, That nothing in this section shall be so construed as to require the disfranchisement of any loyal person who is now allowed to vote.

On May 30th, the first amendment, moved by Mr. Howard, was considered.

The Secretary read the amendment, which was, after the words "section one," to insert:

All persons born in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the States wherein they reside.

So that the section will read:

*Sec. 1.* All persons born in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the States wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

Mr. Doolittle, of Wisconsin, moved to amend the amendment, by inserting after the word "thereof" the words "excluding Indians not taxed."

Mr. Howard, of Michigan, objected to the amendment, on the ground that Indians who maintain tribal relations have always been regarded in our legislation and jurisprudence as *quasi* foreign nations.

The effect of the amendment on the Chinese in California was thus stated by Mr. Conness: "Now, I will say, for the benefit of my friend, that he may know something about the Chinese in future, that this portion of our population, namely, the children of Mongolian parentage, born in California, is very small indeed, and never promises to be large, notwithstanding our near neighborhood to the Celestial land. The habits of those people, and their religion, appear to demand that they all return to their own country at some time or other, either alive or dead. There are, perhaps, in California today about forty thousand Chinese—from forty to forty-five thousand. Those persons return invariably, while others take their places; and, as I before observed, if they do not return alive, their bones are carefully gathered up and sent back to the Flowery Land. It is not an unusual circumstance that the clipper-ships trading between San Francisco and China carry at a time three or four hundred human remains of these Chinese. When interred in our State they are not interred deep in the earth, but laid very near the surface, and then mounds of earth are laid over them, so that the process of disinterment is very easy. That is their habit and custom; and as soon as they are fit for transmission to their own country they are taken up with great regularity and sent there. None of their bones are allowed to remain. They will return, then, either living or dead.

"Another feature connected with them is, that they do not bring their females to our country but in very limited numbers, and rarely ever in connection with families; so that their progeny in California is very small indeed. From the description we have had, from the honorable Senator from Pennsylvania, of the Gypsies, the progeny of all Mongolians in California is not so formidable in numbers as that of the Gypsies in Pennsylvania. We are not troubled with them at all. Indeed, it is only in exceptional cases that they have children in our State: and therefore the alarming aspect of the application of this provision to California, or any other land to which the Chinese may come as immigrants, is simply a fiction in the brain of persons who deprecate it, and that alone."

Mr. Doolittle, of Wisconsin, supported his amendment on the ground that there was a large mass of Indian population, clearly subject to the jurisdiction of the United States, who ought not to be included as citizens of the United States.

Mr. Trumbull, of Illinois, urged that the words "subject to the jurisdiction of the United



States" did mean not owing allegiance to anybody else. The Indians are not subject to our jurisdiction.

Mr. Johnson, of Maryland, said that who is a citizen of the United States is, at present, an open question. There is no definition as to how citizenship can exist in the United States except through the medium of citizenship in a State. The amendment proposes to define what citizenship is in the best way that can be devised. He further thought that in one sense the Indians were a part of the people of the United States, being within the Territorial limits. The United States may exercise jurisdiction over all the tribes. The courts would sustain this jurisdiction. The amendment proposed should, therefore, be accepted.

Mr. Hendricks, of Indiana, asked if it were not a matter to be decided by Congress alone, whether to treat with the Indians by treaty, or govern them by direct law. He said: "I asked the question whether, under the Constitution, under the powers of this Government, we may extend our laws over the Indians and compel obedience, as a matter of legal right, from the Indians. If the Indian is bound to obey the law, he is subject to the jurisdiction of the country; and that is the question.

"Now, sir, this question has once or twice been decided by the Attorney-General so far as he could decide it. In 1855 he was inquired of whether the laws of the United States regulating the intercourse with the Indian tribes, by the general legislation in regard to Oregon, had been extended to Oregon; and he gave it as his opinion that the laws had been extended to Oregon, and regulated the intercourse between the white people and the Indians there. Subsequently, the Attorney-General was asked whether Indians were citizens of the United States in such sense as that they could become the owners of the public lands where the right to acquire them was limited to citizens; and in the course of that opinion he says that the Indian is not a citizen of the United States by virtue of his birth, but that he is a subject."

Mr. Howard, of Michigan, said in reply: "According to the ideas of the honorable Senator from Wisconsin, as I understand them, this consequence would follow the adoption of his amendment: all that would remain to be done on the part of any State would be to impose a tax upon the Indians, whether in their tribal condition or otherwise, in order to make them citizens of the United States. The great objection, therefore, to the amendment is that it is an actual naturalization, whenever the State sees fit to enact a naturalization law in reference to the Indians in the shape of the imposition of a tax, of the whole Indian population within their limits. There is no evading this consequence."

Mr. Saulsbury, of Delaware, said: "I do not presume that any one will pretend to dis-

guise the fact that the object of this first section is simply to declare that negroes shall be citizens of the United States. There can be no other object in it, I presume, than a further extension of the legislative kindness and beneficence of Congress toward that class of people.

'The poor Indian, whose untutored mind  
Sees God in clouds, or hears Him in the wind,'

was not thought of. I say this, not meaning it to be any reflection upon the honorable committee who reported the amendment, because for all the gentlemen composing it I have a high respect personally; but that is evidently the object. I have no doubt myself of the correctness of the position, as a question of law, taken by the honorable Senator from Wisconsin; but, sir, I feel disposed to vote against his amendment, because if these negroes are to be made citizens of the United States, I can see no reason, in justice or in right, why the Indians should not be made citizens. If our citizens are to be increased in this wholesale manner, I cannot turn my back upon that persecuted race, among whom are many intelligent, educated men, and embrace as fellow-citizens the negro race. I therefore, as at present advised, for the reasons I have given, shall vote against the proposition of my friend from Wisconsin, although I believe, as a matter of law, that his statements are correct."

The question was taken, and resulted as follows:

YEAS—Messrs. Buckalew, Cowan, Davis, Doolittle, Guthrie, Hendricks, Johnson, McDougall, Norton, and Riddle—10.

NAYS—Messrs. Anthony, Clark, Conness, Cragin, Creswell, Edmunds, Fessenden, Foster, Grimes, Harris, Henderson, Howard, Howe, Kirkwood, Lane of Kansas, Morgan, Morrill, Nye, Poland, Pomeroy, Ramsey, Sherman, Stewart, Sumner, Trumbull, Van Winkle, Wade, Willey, Williams, and Wilson—30.

ABSENT—Messrs. Brown, Chandler, Dixon, Lane of Indiana, Nesmith, Saulsbury, Sprague, Wright, and Yates—9.

The first and second amendments proposed by Mr. Howard were then agreed to. To the amendment offered as section three, Mr. Hendricks, of Indiana, moved to amend by inserting the words "during his term of office," before the words "have engaged." The motion was lost, and the amendment of Mr. Howard agreed to, by the following vote:

YEAS—Messrs. Anthony, Chandler, Clark, Conness, Cragin, Creswell, Edmunds, Fessenden, Foster, Grimes, Harris, Henderson, Howard, Howe, Kirkwood, Lane of Indiana, Lane of Kansas, Morgan, Morrill, Nye, Poland, Pomeroy, Ramsey, Sprague, Stewart, Sumner, Trumbull, Van Winkle, Wade, Willey, Williams, and Wilson—32.

NAYS—Messrs. Buckalew, Cowan, Davis, Doolittle, Guthrie, Hendricks, Johnson, Norton, Riddle, and Saulsbury—10.

ABSENT—Messrs. Brown, Dixon, McDougall, Nesmith, Sherman, Wright, and Yates—7.

The section four of the amendment then came up for consideration, which declares that the obligations incurred by the United States shall remain inviolate. Mr. Hendricks, of Indiana, said:



"At the meeting of Congress, but before the President had delivered his message, and before his views had been officially communicated, the Republican members, in caucus, determined to raise a committee of fifteen to 'inquire into the condition of the States which formed the so-called Confederate States of America, and report whether they or any of them are entitled to be represented in either House of Congress.' In most indecent haste the resolution passed both branches, and the committee became fastened upon Congress and the country. Because of its party origin, the work it had to do, and the secret character of its proceedings, that committee came to be known in the country as the 'revolutionary tribunal,' the 'directory,' and the 'star chamber.' Its first report was made some months since, in which it was proposed to reduce the representation of the Southern States; but by the aid of the distinguished Senator from Massachusetts (Mr. Sumner), who submits to party restraints upon his judgment with impatience, that measure was defeated. Its second report is now upon our desks. It passed the House, but when it came under discussion in the Senate, and had to bear the test of the independent judgment of Senators, it was found wanting, and its defeat became almost certain. A second defeat of a party programme could not be borne; its effect upon the fall elections would be disastrous. A caucus was called, and we witnessed the astounding spectacle of the withdrawal, for the time, of a great legislative measure, touching the Constitution itself, from the Senate, that it might be decided in the secret councils of a party. For three days the Senate-chamber was silent, but the discussions were transferred to another room of the Capitol, with closed doors and darkened windows, where party leaders might safely contend for a political and party policy.

"When Senators returned to their seats I was curious to observe who had won and who lost in the party lottery. The dark brow of the Senator from New Hampshire (Mr. Clark) was lighted with a gleam of pleasure. His proposed substitute for the third section was the marked feature of the measure. But upon the lofty brow of the Senator from Nevada (Mr. Stewart) there rested a cloud of disappointment and grief. His bantling, which he had named universal amnesty and universal suffrage, which he had so often dressed and undressed in the presence of the Senate, the darling offspring of his brain, was dead; it had died in the caucus; and it was left to the sad Senator only to hope that it might not be his last. Upon the serene countenance of the Senator from Maine, the chairman of the fifteen, there rested the composure of the highest satisfaction; a plausible political platform had been devised, and there was yet hope for his party.

"In this weighty business now before us what are the facts? The House sent us four propositions to change the Constitution in one bill.

Upon discussion it was found that probably no one of the propositions, nor any proposed modification thereof, could receive the required vote. Two-thirds of the Senators, belonging to one political party, retired from the Senate to consider and agree upon a bill. Each Senator by going into the secret caucus, agreed and became bound to vote for whatever the majority of the caucus should adopt. A section or an entire bill may be adopted by a bare majority of the caucus, much less than one-half the Senate, but the entire two-thirds must vote for it in the Senate, not because it is right, but because the majority of the caucus has said so; and thus an amendment of the Constitution may be adopted by the Senate when a majority of the body would vote against it if no party obligation rested upon them. What Senator would dare propose to shut these doors against the people, that we in secret might take steps to change their great charter of liberty? The people would not endure it, but in congregating thousands would burst them open and demand to know all that was said and done upon a matter of such interest to them. The present proposed amendment has been decided upon in a conclave more secret than has ever been known in this country.

"So carefully has the obligation of secrecy been observed that no outside Senators, not even the sharp-eyed men of the press, have been able to learn one word that was spoken, or one vote given. An Egyptian darkness covers the proceeding. The secret could not be more profound had the conclave assembled down in the deep and dark caverns of the earth. If you change the Constitution, have the people not the right to know how and why it is done, what was proposed and said, and how each Senator voted? Is it not their business? Or indeed have they masters, party chieftains, who may say to them, 'We govern, you obey?' Is it not a fact that should arrest attention, that since this measure was reported from the caucus scarce an explanation has been conceded, and not one amendment offered or voted for by a single Senator who was in the caucus, so exacting and imperative is the obligation, and so literally is party authority obeyed? Sir, if the people can only come to know how this thing has been done, I believe they will refuse their indorsement.

"I now propose a brief examination of the measure as it came from the caucus. It proposes an additional article of five sections, making that number of amendments or additions to the Constitution.

"For the first section the virtue is claimed that it defines citizenship of the United States and of the States. I will read that part of the section:

All persons born in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside.

"What citizenship is, what are its rights and duties, its obligations and liabilities, are not



defined or attempted to be defined; but these vexed questions are left as unsettled as during all the course of our history, when they have occupied the attention and taxed the learning of the departments of Government. But this is certain, that the section will add many millions to the class of persons who are citizens. We have been justly proud of the rank and title of our citizenship, for we understood it to belong to the inhabitants of the United States who were descended from the great races of people who inhabit the countries of Europe, and such emigrants from those countries as have been admitted under our laws. The rank and title conferred honor at home and secured kindness, respect, and safety everywhere abroad; but if this amendment be adopted, we will then carry the title and enjoy its advantages in common with the negroes, the coolies, and the Indians. When the Senator from Wisconsin proposed an amendment excluding the savage Indians of the forest, I believe every Senator who had been in the caucus voted against it. No one was authorized to change a word that the caucus had used, but I am not quite sure that the people of Minnesota will regard the obligation to a caucus as a sufficient reason why the Senator from that State (Mr. Ramsey) should seek to confer the rank, privileges, and immunities of citizenship upon the cruel savages who destroyed their peaceful settlements and massacred the people with circumstances of atrocity too horrible to relate. How our citizenship will be esteemed at home and abroad, should this amendment be adopted, we may judge by consulting the sentiments with which we regard Mexican citizenship. We feel that it defines a mixed population, made up of races that ought not to mingle—whites, negroes, and Indians—of whom twenty thousand could not cope with four thousand soldiers of the United States of pure white blood on the field of Buena Vista. It was the work of many generations to place the name and fame of our citizenship so high that it ranked with the proudest titles on earth; but the mad fanaticism and partisan fury of a single year may so degrade it as there shall be

‘None so poor to do it reverence.’

“The second section now demands our attention. The intent and effect of that section is to take away representation in Congress in all the States in which the right of voting is not given to the negroes. The purpose is to constrain every State to confer the right of voting upon the negroes; and in case of refusal, the penalty is loss of representation. The section does not rest upon the proposition that those whom the States treat as unfit to vote shall not be represented, for it is so framed as to continue to the Northern and Eastern States their twenty Representatives that are based upon a non-voting population. It is so framed, also, as to continue to the States of Maryland, Tennessee, West Virginia, and Missouri, their full representation, although during the war

the military power was so used in those States as to place the political power in the hands of a few, who so exercised it as to exclude the residue of the people from the ballot-box. You say that if the States treat the negroes as unfit to vote, then they shall not be voted for; that no representation shall be allowed for them; then, I ask, if in some of the Northern States the foreigner is denied a vote for five years, why shall he be voted for? If in Maryland, West Virginia, Tennessee, and Missouri, the majority are treated as unfit to vote, why shall the minority vote for them and be represented for them? Come, now, let candor and truth have full sway, and answer me, is it not because you believe that the few in these States now allowed to vote will send radicals to Congress, and therefore you allow them to send full delegations that it may add to your political party power? And I now submit to your patriotism, to your love of our country, if we have not come upon most dangerous times, when our Constitution is to be torn up and remodelled that a political party may make its power more secure, that it may hold on to the offices, and shape and control sectional policies.

“Mr. President, I now venture the prediction that this thing cannot succeed; that in this land of intelligence and love of liberty and right, permanent power cannot be built upon inequality, injustice, and wrong. If the principle be right that none but voters ought to be represented, why do you not say so? If you think the negro ought to have the right of voting; if you are in favor of it, and intend it shall be given, why do you not in plain words confer it upon them? It is much fairer than to seek it by indirection, and the people will distinctly understand you when you propose such a change of the Constitution. I am not for it directly, nor will I coerce the States to its allowance. If conferred by the free action of the States, I am content. Within the limits of constitutional right and power I will support all measures necessary and proper for the protection and elevation of the colored race; measures safe and just to both races; but I do not believe that it is for the good of either race that they should be brought into close social and political relations.

“The third section provides that no person shall ever hold any office under the United States, or under any State, who, having at any time taken the oath prescribed by the Constitution as an officer of the United States or of any State, shall engage in rebellion or give aid and comfort to the public enemies. The proposition to exempt from the operations of the section those who against their will were compelled to participate in the rebellion, was voted down; and the section now stands excluding from all offices every person of the described class who either voluntarily or involuntarily became connected with the rebellion; and that, too, notwithstanding the party may be under the shield of the President's pardon. This



harsh and sweeping measure will include many excellent men whose services now in the work of reconciliation would be of the greatest value to the country—men who displayed heroic courage in standing out against the secession movement, but who afterward yielded obedience to and served the established government *de facto*. This measure is in the spirit that pursued the supporters of Cromwell and the Parliament after the Restoration. It is in the spirit of vengeance after men are beaten and have surrendered, and cannot bring a blessing to our country. Senators say that the measure is not penal in its character. Why not? When pardoned, are not these men eligible to State and Federal offices? And do you not propose to strip them of their eligibility because of their crime?

"The fourth section provides that the public debt shall remain inviolate. Who has asked us to change the Constitution for the benefit of the bondholders? Are they so much more meritorious than all other classes that they must be specially provided for in the Constitution? Or, indeed, do we distrust ourselves, and fear that we will all become repudiators? A provision like this, I should think, would excite distrust, and cast a shade on public credit. But perhaps the real purpose is so to hedge in the bondholders by constitutional provision as that they never may be taxed; that Congress can never assent to their taxation, and so that three billions of capital may bear no portion of the public burdens. Such would be the effect of this amendment. Who has attacked public credit, or questions the obligation to pay the public debt? Are the bondholders not receiving their interest, even in advance, and in gold? Why, then, do they ask this extraordinary guaranty? They trusted the good faith of the people, and there is no breach of that faith. When things entirely unusual are asked, it is well for the people to inquire, why it is, what is the purpose, and how far will it carry us?

"The fifth section declares the debts contracted in aid of the rebellion illegal, and prohibits their payment. Mr. President, who is so stupid as to have supposed these debts legal, or that they had any valid existence for one hour after the *de facto* government of the Confederate States ceased to exist? Who is so silly as to fear their payment? The least that may be said of this section is that it would be harmless, but I would regret to see the face of the Constitution marred by a provision so unnecessary and trifling.

"The sixth and last section provides that Congress shall have power to enforce, by appropriate legislation, the provisions of the article. When these words were used in the amendment abolishing slavery, they were thought to be harmless; but during this session there has been claimed for them such force and scope of meaning as that Congress might invade the jurisdiction of the States, rob them of their

reserved rights, and crown the Federal Government with absolute and despotic power. As construed, this provision is most dangerous. Without it the Constitution possesses the vitality and vigor for its own enforcement through the appropriate departments.

"Mr. President, I have now briefly examined the provisions of this article, and cannot resist the conviction that some of them are useless, while others are vicious and dangerous. Nor can I resist the conviction that this measure is pressed, not because of an exigency in our affairs, but to carry out a party programme. The President has his policy. You oppose him. You charge him with usurpation, while at the same time you are straining every brace and timber in the Constitution to secure to yourselves absolute control; indeed, you reach out beyond the Constitution, and by amendment—a proceeding to be resorted to only upon rare and solemn occasions—you grasp after, and, with the avidity of hunger, clutch power."

The amendments proposed by Mr. Howard were adopted. Numerous amendments were then offered to the second section, relative to the basis of representation, which were largely debated and rejected, and the action of the Committee of the Whole reported and approved by the Senate by two-thirds vote. The joint resolution, as amended by the Senate, was as follows:

Joint resolution proposing an amendment to the Constitution of the United States.

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled* (two-thirds of both Houses concurring), That the following article be proposed to the Legislatures of the several States as an amendment to the Constitution of the United States, which, when ratified by three-fourths of said Legislatures, shall be valid as part of the Constitution, namely:

ARTICLE —. *Sec. 1.* All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

*Sec. 2.* Representatives shall be apportioned among the several States according to their respective numbers, counting the whole number of persons in each State, excluding Indians not taxed. But when the right to vote at any election for the choice of electors for President and Vice-President of the United States, Representatives in Congress, the executive and judicial officers of a State, or the members of the Legislature thereof, is denied to any of the male inhabitants of such State, being twenty-one years of age, and citizens of the United States, or in any way abridged, except for participation in rebellion or other crime, the basis of representation therein shall be reduced in the proportion which the number of such male citizens shall bear to the whole number of male citizens twenty-one years of age in such State.

*Sec. 3.* No person shall be a Senator or Representative in Congress, or elector of President and Vice-President, or hold any office, civil or military, under the United States or under any State, who, having previously taken an oath as a member of Congress,



or as an officer of the United States, or as a member of any State Legislature, or as an executive or judicial officer of any State, to support the Constitution of the United States, shall have engaged in insurrection or rebellion against the same, or given aid or comfort to the enemies thereof. But Congress may, by a vote of two-thirds of each House, remove such disability.

*Sec. 4.* The validity of the public debt of the United States, authorized by law, including debts incurred for payment of pensions and bounties for services in suppressing insurrection or rebellion, shall not be questioned. But neither the United States nor any State shall assume or pay any debt or obligation incurred in aid of insurrection or rebellion against the United States, or any claim for the loss or emancipation of any slave; but all such debts, obligations, and claims shall be held illegal and void.

*Sec. 5.* The Congress shall have power to enforce, by appropriate legislation, the provisions of this article.

In the House, on June 13th, the question was put on concurring with the amendments of the Senate; and there were—yeas 130, nays 32, not voting 32; as follows:

YEAS—Messrs. Alley, Allison, Ames, Delos R. Ashley, James M. Ashley, Baker, Baldwin, Banks, Barker, Baxter, Beaman, Bidwell, Bingham, Blaine, Boutwell, Bromwell, Buckland, Bundy, Reader W. Clark, Sidney Clarke, Cobb, Conkling, Cook, Cullom, Darling, Davis, Dawes, Defrees, Delano, Dodge, Donnelly, Driggs, Dumont, Eckley, Eggleston, Eliot, Farnsworth, Farquhar, Ferry, Garfield, Grinnell, Griswold, Hale, Abner C. Harding, Hart, Hayes, Henderson, Higby, Holmes, Hooper, Hotchkiss, Asahel W. Hubbard, Chester D. Hubbard, John H. Hubbard, James R. Hubbell, Jenckes, Julian, Kelley, Kelso, Ketcham, Kuykendall, Laffin, Latham, George V. Lawrence, Loan, Longyear, Lynch, Marvin, McClurg, McKee, McKuer, Mercur, Miller, Moorhead, Morrill, Morris, Moulton, Myers, Newell, O'Neill, Orth, Paine, Perham, Phelps, Pike, Plants, Pomeroy, Price, William H. Randall, Raymond, Alexander H. Rice, John H. Rice, Sawyer, Schenck, Schofield, Shellabarger, Sloan, Smith, Spalding, Stevens, Stillwell, Thayer, Francis Thomas, John L. Thomas, Trowbridge, Upson, Van Aernam, Robert T. Van Horn, Ward, Warner, Henry D. Washburn, William B. Washburn, Welker, Wentworth, Whaley, Williams, James F. Wilson, Stephen F. Wilson, Windom, and the Speaker—120.

NAYS—Messrs. Ancona, Bergen, Boyer, Chanler, Coffroth, Dawson, Denison, Eldridge, Finck, Glossbrenner, Grider, Aaron Harding, Hogan, Edwin N. Hubbell, James M. Humphrey, Kerr, Le Blond, Marshall, Niblack, Nicholson, Samuel J. Randall, Ritter, Rogers, Ross, Sitgreaves, Strouse, Tabor, Taylor, Thornton, Trimble, Winfield, and Wright—32.

NOT VOTING—Messrs. Anderson, Benjamin, Blow, Brandagee, Broomall, Culver, Deming, Dixon, Goodyear, Harris, Hill, Demas Hubbard, Hulburt, James Humphrey, Ingersoll, Johnson, Jones, Kasson, William Lawrence, Marston, McCullough, McIndoe, Noell, Patterson, Radford, Rollins, Rousseau, Shanklin, Starr, Burt Van Horn, Elihu B. Washburne, and Woodbridge—32.

The Speaker: "Two-thirds of both Houses having concurred in the joint resolution, proposing an amendment to the Constitution of the United States, the joint resolution has passed."

In the House, on June 18th, Mr. Cobb, of Wisconsin, from the Committee on Enrolled Bills, reported that, on June 16th, a copy of the joint resolution to amend the Constitution was filed with the Secretary of State.

Mr. Bingham, of Ohio, asked leave to introduce the following resolution, which was granted:

*Resolved by the House of Representatives* (the Senate concurring), That the President of the United States be requested to transmit forthwith to the Executives of the several States of the United States copies of the article of amendment proposed by Congress to the State Legislatures to amend the Constitution of the United States, passed June 13, 1866, respecting citizenship, the basis of representation, disqualification for office, the validity of the public debt of the United States, etc., to the end that the said States may proceed to act upon the said article of amendment, and that he request the Executives of the States that may ratify the said amendment to transmit to the Secretary of State certified copies of such ratification.

The resolution was adopted—yeas 87, nays 20.

On June 22d President Johnson sent the following message to the House:

WASHINGTON, D. C., June 22, 1866.

*To the Senate and House of Representatives:*

I submit to Congress a report of the Secretary of State, to whom was referred the concurrent resolution of the 18th instant respecting a submission to the Legislatures of the States of an additional article to the Constitution of the United States. It will be seen from this report that the Secretary of State had, on the 16th instant, transmitted to the Governors of the several States certified copies of the joint resolution passed on the 13th instant proposing an amendment to the Constitution.

Even in ordinary times any question of amending the Constitution must be justly regarded as of paramount importance. This importance is at the present time enhanced by the fact that the joint resolution was not submitted by the two Houses for the approval of the President, and that of the thirty-six States which constitute the Union eleven are excluded from representation in either House of Congress, although, with the single exception of Texas, they have been entirely restored to all their functions as States in conformity with the organic law of the land, and have appeared at the national capital by Senators and Representatives, who have applied for and have been refused admission to the vacant seats. Nor have the sovereign people of the nation been afforded an opportunity of expressing their views upon the important questions which the amendment involves. Grave doubts, therefore, may naturally and justly arise as to whether the action of Congress is in harmony with the sentiments of the people, and whether State Legislatures, elected without reference to such an issue, should be called upon by Congress to decide respecting the ratification of the proposed amendment.

Waiving the question as to the constitutional validity of the proceedings of Congress upon the joint resolution proposing the amendment, or as to the merits of the article which it submits through the executive department to the Legislatures of the States, I deem it proper to observe that the steps taken by the Secretary of State, as detailed in the accompanying report, are to be considered as purely ministerial, and in no sense whatever committing the Executive to an approval or a commendation of the amendment to the State Legislatures or to the people. On the contrary, a proper appreciation of the letter and spirit of the Constitution, as well as of the interests of national order, harmony, and union, and a due deference for an enlightened public judgment, may at this time well suggest a doubt whether any amendment to the Constitution ought to be proposed by Congress and pressed upon the Legislatures of the several States for final decision until after the



admission of such loyal Senators and Representatives of the now unrepresented States as have been, or as may hereafter be, chosen in conformity with the Constitution and laws of the United States.

ANDREW JOHNSON.

DEPARTMENT OF STATE, WASHINGTON, June 20, 1866.  
*To the President :*

The Secretary of State, to whom was referred the concurrent resolution of the two Houses of Congress of the 18th instant, in the following words—"that the President of the United States be requested to transmit forthwith to the Executives of the several States of the United States, copies of the article of amendment proposed by Congress to the State Legislatures, to amend the Constitution of the United States, passed June 13, 1866, respecting citizenship, the basis of representation, disqualification for office, and validity of the public debt of the United States, etc., to the end that the said States may proceed to act upon the said article of amendment, and that he request the Executive of each State that may ratify said amendment to transmit to the Secretary of State a certified copy of such ratification"—has the honor to submit the following report, namely, that on the 16th instant, Hon. Amasa Cobb, of the Committee of the House of Representatives on Enrolled Bills, brought to this Department and deposited therein an enrolled resolution of the two Houses of Congress, which was thereupon received by the Secretary of State and deposited among the rolls of the Department, a copy of which is hereunto annexed.

Thereupon the Secretary of State, on the 16th instant, in conformity with the proceeding which was adopted by him in 1865, in regard to the then proposed and afterward adopted congressional amendment of the Constitution of the United States, concerning the prohibition of slavery, transmitted certified copies of the annexed resolution to the Governors of the several States, together with a certificate and circular letter. A copy of both of these communications is hereunto annexed.

Respectfully submitted,

WILLIAM H. SEWARD.

In the Senate, on January 29th, Mr. Trumbull, of Illinois, called up the bill to protect all persons in the United States in their civil rights, and furnish the means of their vindication. He moved to amend by inserting in the third line of the first section the words "all persons of African descent born in the United States are hereby declared to be citizens of the United States;" so that the section would read:

That all persons of African descent born in the United States are hereby declared to be citizens of the United States, and there shall be no discrimination in civil rights or immunities among the inhabitants of any State or Territory of the United States on account of race, color, or previous condition of slavery, etc.

He said: "Mr. President, I regard the bill to which the attention of the Senate is now called as the most important measure that has been under its consideration since the adoption of the constitutional amendment abolishing slavery. That amendment declared that all persons in the United States should be free. This measure is intended to give effect to that declaration, and secure to all persons within the United States practical freedom. There is very little importance in the general declaration of abstract truths and principles unless they can be carried into effect, unless the persons who are to be affected by them have some means of

availing themselves of their benefits. Of what avail was the immortal declaration 'that all men are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness,' and 'that to secure these rights governments are instituted among men,' to the millions of the African race in this country who were ground down and degraded and subjected to a slavery more intolerable and cruel than the world ever before knew? Of what avail was it to the citizen of Massachusetts, who, a few years ago, went to South Carolina to enforce a constitutional right in court, that the Constitution of the United States declared that the citizens of each State shall be entitled to all the privileges and immunities of citizens in the several States? And of what avail will it now be that the Constitution of the United States has declared that slavery shall not exist, if in the late slaveholding States laws are to be enacted and enforced depriving persons of African descent of privileges which are essential to freemen?

"Since the abolition of slavery, the Legislatures which have assembled in the insurrectionary States have passed laws relating to the freedmen, and in nearly all the States they have discriminated against them. They deny them certain rights, subject them to severe penalties, and still impose upon them the very restrictions which were imposed upon them in consequence of the existence of slavery, and before it was abolished. The purpose of the bill under consideration is to destroy all these discriminations, and to carry into effect the constitutional amendment. The first section of the bill, as it is now proposed to be amended, declares that all persons of African descent shall be citizens of the United States, and—

That there shall be no discrimination in civil rights or immunities, among the inhabitants of any State or Territory of the United States on account of race, color, or previous condition of slavery; but the inhabitants of every race and color, without regard to any previous condition of slavery or involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall have the same right to make and enforce contracts, to sue, be parties, and give evidence, to inherit, purchase, lease, sell, hold, and convey real and personal property, and to full and equal benefit of all laws and proceedings for the security of person and property, and shall be subject to like punishment, pains, and penalties, and to none other, any law, statute, ordinance, regulation, or custom to the contrary notwithstanding.

"This section is the basis of the whole bill. The other provisions of the bill contain the necessary machinery to give effect to what are declared to be the rights of all persons in the first section, and the question will arise, has Congress authority to pass such a bill? Has Congress authority to give practical effect to the great declaration that slavery shall not exist in the United States? If it has not, then nothing has been accomplished by the adoption of the constitutional amendment. In my judgment, Congress has this authority."



Mr. Saulsbury, of Delaware, followed, in opposition to the bill, saying: "Mr. President, I regard this bill as one of the most dangerous that was ever introduced into the Senate of the United States, or to which the attention of the American people was ever invited. During the last four or five years I have sat in this chamber and witnessed the introduction of bills into this body which I thought obnoxious to many very grave and serious constitutional objections; but I have never since I have been a member of the body seen a bill so fraught with danger, so full of mischief, as the bill now under consideration. Deeming it to be of this character, duty to my country, duty to my State, duty to myself as a man, as a citizen, and as a legislator, duty to my children, and duty to my fellow-citizens everywhere, demands that I should utter my protest against its enactment into a law. Before, however, I proceed to consider it in the light of the Constitution as it existed previous to the recent amendment, let me notice the basis of authority for it as claimed by the honorable Senator from Illinois.

"I presume that honorable Senator would not contend that, independently of the constitutional amendment, Congress had a right to enact this law, although I know that many have claimed powers equally extensive. But from the argument of the honorable Senator, I infer that the sole basis of authority in his judgment for passing the bill is the amendment to the Constitution of the United States abolishing slavery. If that be so, it is admitted that before the adoption of that amendment Congress had not the right to enact such a law as this. Let us consider then for one moment whether the adoption of that amendment gave to Congress such an authority.

"What was that amendment? That neither slavery nor involuntary servitude should exist in the United States, except as a punishment for crime whereof the party should have been duly convicted. Now, here is a complete answer, in my judgment, to the argument of the honorable Senator, based upon the authority conferred by that amendment. Before and at the time of the adoption of that amendment the people of the United States were composed of persons of different races, the two main portions of which were white and black; the whites were free; a portion of the black population were free and a portion were slaves. In the State of Maryland about one-half of the black population were free and one-half slaves. In my own State there were about ten free negroes to one slave. In Kentucky and in most of the slaveholding States there were large free negro populations, as we supposed.

"I should like to know whether persons belonging to the African race in the State of Maryland, and the State of Delaware, and the other slaveholding States, who had been emancipated by their owners either by deed or will, or who were never in bondage, were, at the time of the adoption of the constitutional amendment, free

or slave. Were they not freemen? What was the objection urged by many against the enactment of the fugitive slave law? It was that under that enactment a freeman—a free colored man, as they called him; a free negro, as I uniformly call him—might be kidnapped, carried far from his home, and reduced to slavery. Had the Congress of the United States, previous to the adoption of the amendment, the power to pass this law, to say that the free negroes in the States of Maryland and Delaware, and the other slaveholding States, or the free negroes all over the United States, should be the equals of the white man before the law, and possess the powers which this bill proposes to confer? Had you the power, before the enactment of the constitutional amendment, to pass such a law? If you had not, did the passage of that amendment, setting free that portion who were in slavery, and putting them on an equality in reference to their *status* with the free negroes that then existed in the United States, give you the power to legislate beyond the persons you set free and in reference to the whole negro race in the United States, a portion of which were free before? Is the amendment to the Constitution so potential that if there was but one slave negro in the United States you could, under and by virtue of the clause which says you may carry the amendment into effect by appropriate legislation, bestow all the rights which this bill proposes to bestow upon the whole free negro population of the United States? Sir, it needs but a statement of the facts to show that under the constitutional amendment you have no such power. If you have the power under it, you had the power before the amendment to do the same thing in reference to that portion of the negro population who were not in a state of slavery but who were free.

"If the power to pass such an act as this exists anywhere, it must exist in the Constitution as originally framed. Sir, was it ever pretended by any statesman before that that Constitution conferred such a power as this? Look at the powers enumerated in the Constitution and see whether it is possible for the ingenuity of man to arrive at the conclusion that any such power exists; for, Mr. President, the Constitution is the bond of agreement according to the terms of which the States agreed to live together, and all the powers which Congress possesses are found in the eighth section of the first article of the Constitution. They are: 'to lay and collect taxes, duties, imposts, etc., to 'borrow money,' to 'establish uniform rules of naturalization,' to 'coin money,' to 'provide for the punishment of counterfeiting,' to 'establish post-offices,' to 'promote the progress of science and arts,' to 'constitute tribunals' of justice, to 'define and punish piracy,' etc., to 'declare war,' to 'raise and support armies,' to 'provide a navy,' to 'make rules for the government and regulation of the land and naval forces,' to 'provide for calling forth the militia,' etc., to 'provide for organizing, arming, and



disciplining the militia,' etc., to 'exercise exclusive legislation in all cases' over this District, or such district as should be established as the seat of Government, and to 'make all laws which shall be necessary and proper for carrying into execution the foregoing powers.'"

Mr. Cowan, of Pennsylvania, followed, saying: "I am entirely opposed to the whole of this first section; and, in my judgment, it has not a particle of constitutional warrant. As I understand the chairman of the Committee on the Judiciary, he takes his ground upon an amendment to the Constitution of the United States recently passed. The first section of that amendment is in these words:

Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States or any place subject to their jurisdiction.

"Now, Mr. President and gentlemen of the Senate, in all good faith, what was the meaning of that? What was its intent? Can there be any doubt of it? Is there a sane man within the sound of my voice who does not know precisely what was intended by the American people in adopting that amendment to the Constitution? I may say there is no shirking this thing; there is no way of dodging it or avoiding it. We must meet it; and if we are men we will meet it, and we will meet it in the spirit in which it was made. That amendment, everybody knows and nobody dare deny, was simply made to liberate the negro slave from his master. That is all there is of it. Will the chairman of the Committee on the Judiciary or anybody else undertake to say that that was to prevent the involuntary servitude of my child to me, of my apprentice to me, or the *quasi* servitude which the wife to some extent owes to her husband? Certainly not. Nobody pretends that it was to be wider in its operation than to cover the relation which existed between the master and his negro African slave.

"Now, mark it, that particular relation, and the breaking of it up, is the subject of that first clause of the amendment, and it does not extend any further, and cannot by any possible implication, contortion, or straining, be made to go further among honest men. That was followed by another clause, and a very proper clause, which everybody at the time understood, and which I have never known anybody to be mistaken about until I came into the Senate of the United States this session. That other clause was this:

Congress shall have power to enforce this article by appropriate legislation.

"Enforce what? The breaking of the bond by which the negro slave was held to his master; that is all. It was not intended to overturn this Government and to revolutionize all the laws of the various States everywhere. It was intended, in other words, and a lawyer would have so construed it, to give to the negro the privilege of the *habeas corpus*; that is, if

anybody persisted in the face of the constitutional amendment in holding him as a slave, that he should have an appropriate remedy to be delivered. That is all."

Mr. Howard, of Maine, replied, saying: "I happened to be a member of the Judiciary Committee at the time this amendment was drafted and adopted, and reported to the Senate. I recollect very distinctly what were the views entertained by members of that committee at the time it was under consideration before them. And notwithstanding the very vehement style of the Senator from Pennsylvania, in placing a narrow and utterly ineffectual construction upon it, I take this occasion to say that it was in contemplation of its friends and advocates to give to Congress precisely the power over the subject of slavery and the freedmen which is proposed to be exercised by the bill now under our consideration.

"It was easy to foresee, and of course we foresaw, that in case this scheme of emancipation was carried out in the rebel States it would encounter the most vehement resistance on the part of the old slaveholders. It was easy to look far enough into the future to perceive that it would be a very unwelcome measure to them, and that they would resort to every means in their power to prevent what they called the loss of their property under this amendment. We could foresee easily enough that they would use, if they should be permitted to do so by the General Government, all the powers of the State governments in restraining and circumscribing the rights and privileges which are plainly given by it to the emancipated negro. If I understand correctly the interpretation given to the article by the Senator from Delaware and the Senator from Pennsylvania, it is this: that the sole effect of it is to cut and sever the mere legal ligament by which the person and the service of the slave was attached to his master, and that beyond this particular office the amendment does not go; that it can have no effect whatever upon the condition of the emancipated blacks in any other respect. In other words, they hold that it relieves him from his so-called legal obligation to render his personal service to his master without compensation; and there leaves him, totally, irretrievably, and without any power on the part of Congress to look after his well-being from the moment of this mockery of emancipation. Sir, such was not the intention of the friends of this amendment at the time of its initiation here and at the time of its adoption; and I undertake to say that it is not the construction which is given to it by the bar throughout the country, and much less by the liberty-loving people.

"But let us look more closely at this narrow construction. Where does it leave us? We are told that the amendment simply relieves the slave from the obligation to render service to his master. What is a slave in contemplation of American law, in contemplation of the laws of all the slave States? We know full well;



the history of two hundred years teaches us that he had no rights, nor nothing which he could call his own. He had not the right to become a husband or a father in the eye of the law, he had no child, he was not at liberty to indulge the natural affections of the human heart for children, for wife, or even for friend. He owned no property, because the law prohibited him. He could not take real or personal estate either by sale, by grant, or by descent or inheritance. He did not own the bread he earned and ate. He stood upon the face of the earth completely isolated from the society in which he happened to be; he was nothing but a chattel, subject to the will of his owner, and unprotected in his rights by the law of the State where he happened to live. His rights, did I say? No, sir, I use inappropriate language. He had no rights; he was an animal; he was property, a chattel. The Almighty, according to the ideas of the times, had made him to be property, a chattel, and not a man.

"Now, sir, it is not denied that this relation of servitude between the former negro slave and his master was actually severed by this amendment. But the absurd construction now forced upon it leaves him without family, without property, without the implements of husbandry, and even without the right to acquire or use any instrumentalities of carrying on the industry of which he may be capable; it leaves him without friend or support, and even without the clothes to cover his nakedness. He is a waif upon the current of time; he has nothing that belongs to him on the face of the earth except solely his naked person. And here, in this state, we are called upon to abandon the poor creature whom we have emancipated. We are coolly told that he has no right beyond this, and we are told that under this amendment the power of the State within whose limits he happens to be is not at all restrained in respect to him, and that the State through its Legislature may at any time declare him to be a vagrant, and as such commit him to jail, or assign him to uncompensated service.

"Now, Mr. President, I ask these gentlemen—I appeal not only to their knowledge of the true principles of construction, but I appeal to their humanity—to say whether it is possible innocently and sincerely to ascribe to the advocates of this amendment any such cruel and inhuman purpose as this? No, sir; I think they cannot lay their hands upon their hearts and say that in advocating this amendment we intended to leave the negro in so helpless and destitute a condition. But if theirs be the true construction, then it is competent for the Legislature of each State to declare by law that no negro who has once been a slave shall ever, within the limits of that State, have the right or privilege of earning and purchasing property; of having a home under which to shelter him and his family, if he has one; of having a wife and family, or of eating the bread he

earns; thus leaving it in the power of these interested States to expatriate him at any moment and drive him beyond their limits; to deprive him of a home, to deprive him of all the fruits of his toil and his industry, and finally to reduce him to a condition infinitely worse than that of actual slavery, by compelling him to labor at such price as the old master may see fit to pay him, while at the same time he, not being a slave, has no claim whatever upon the old master for support, thus treating him as a nuisance upon the face of the earth.

"No, sir, such was not the intention of the advocates of this amendment. Its intention was to make him the opposite of a slave, to make him a freeman. And what are the attributes of a freeman according to the universal understanding of the American people? Is a freeman to be deprived of the right of acquiring property, of the right of having a family, a wife, children, home? What definition will you attach to the word 'freeman' that does not include these ideas? The once slave is no longer a slave; he has become, by means of emancipation, a free man. If such be the case, then in all common sense is he not entitled to those rights which we concede to a man who is free?"

Mr. Guthrie, of Kentucky, said: "I consider that there is no warrant in the Constitution for such legislation as this, and it is impossible that there should be, and besides, it will be the most impolitic law that ever was passed. The gentleman from Illinois says that this is simply a bill providing that all persons shall have their rights. I might return the compliment by saying that it is simply a bill declaring that we have established a military despotism, and the laws are to be enforced at the point of the bayonet. This bill and the one passed last week invoke military power everywhere, and throw the protection of the military over any thing. Gentlemen, is this a proper answer to this war, to the gallantry of our officers and soldiers, and to the hope of the American people that we should have a restored Union? Is it a proper answer to those who have lent you their money and whom you yet owe, to sow this cause of dissension between the States, this pestering interference that will lead to dissension, and God knows what else it will lead to? I say that this bill, as well as the kindred measure passed last week, should not be passed on account of economy. It should not be passed on account of your creditors. How many creditors have you now knocking at your doors for money and property seized and put into your Treasury, whom you cannot pay, whom you are afraid to make appropriations for? And yet you are taking by these bills more money from the Treasury than would pay probably the principal of the debt due to these men. Is it just to the creditors to whom you owe this money that you should leave their claims unsettled, and that you should attempt to carry on this Government by such legislation as this?"



Mr. Hendricks, of Indiana, said: "This bill is a wasp; its sting is in its tail. Sir, what is the bill? It provides, in the first place, that the civil rights of all men, without regard to color, shall be equal; and, in the second place, that if any man shall violate that principle by his conduct, he shall be responsible to the court; that he may be prosecuted criminally and punished for the crime, or he may be sued in a civil action and damages recovered by the party wronged. Is not that broad enough? Do Senators want to go further than this? To recognize the civil rights of the colored people as equal to the civil rights of the white people, I understand to be as far as Senators desire to go; in the language of the Senator from Massachusetts (Mr. Sumner), to place all men upon an equality before the law; and that is proposed in regard to their civil rights.

"Why, sir, this bill provides that there shall be commissioners, not ordinary commissioners that the courts in the exercise of their judgment and discretion shall appoint, but extraordinary commissioners, and from its language it seems to contemplate that there shall be a commissioner in every county of the United States, and these commissioners are authorized to appoint as many agents or deputy marshals as they may see fit to appoint, and these deputy marshals may call upon the body of the people, for what purpose? To pursue a runaway white man. Oh, I recollect how the blood of the people was made to run cold within them when it was said that the white man was required to run after the fugitive slave; that the law of 1850 made you and me, my brother Senators, slave-catchers; that the *posse comitatus* could be called to execute a writ of the law for the recovery of a runaway slave under the provisions of the Constitution of the United States; and the whole country was agitated because of it. Now slavery is gone; the negro is to be established upon a platform of civil equality with the white man. That is the proposition. But we do not stop there; we are to reenact a law that nearly all of you said was wicked and wrong; and for what purpose? Not to pursue the negro any longer; not for the purpose of catching him; not for the purpose of catching the great criminals of the land; but for the purpose of placing it in the power of any deputy marshal in any county of the country to call upon you and me, and all the body of the people to pursue some white man who is running for his liberty because some negro has charged him with denying to him equal civil rights with the white man."

Mr. Lane, of Indiana, said: "What are the objects sought to be accomplished by this bill? That these freedmen shall be secured in the possession of all the rights, privileges, and immunities of freemen; in other words, that we shall give effect to the proclamation of emancipation and to the constitutional amendment. How else, I ask you, can we give them effect than by doing away with the slave codes of the respective States where slavery was lately tol-

erated? One of the distinguished Senators from Kentucky (Mr. Guthrie), says that all these slave laws have fallen with the emancipation of the slave. That, I doubt not, is true, and by a court honestly constituted of able and upright lawyers, that exposition of the constitutional amendment would obtain.

"But why do we legislate upon this subject now? Simply because we fear and have reason to fear that the emancipated slaves would not have their rights in the courts of the slave States. The State courts already have jurisdiction of every single question that we propose to give to the courts of the United States. Why, then, the necessity of passing the law? Simply because we fear the execution of these laws if left to the State courts. That is the necessity for this provision."

Various amendments to the bill were offered and rejected. Mr. Saulsbury, of Delaware, moved to amend the second line of the first section by adding after the words "civil rights" the words "except the right to vote in the States." He said: "I do hold that under the words 'civil rights' the power to vote is given, because it is a civil right. The honorable chairman of the Judiciary Committee, who has this bill under charge, says he does not mean to confer that right. His meaning cannot control the operation or the effect of this law, if the bill shall become a law. I believe that if this bill is enacted into a law your judges in most of the States will determine that under these words the power of voting is given. The honorable Senator cited an authority the other day, from Maryland I think it was, in which it was decided that that right was conferred after domicile had been acquired according to the laws of the State. Sir, I wish to exclude that very idea; and if you do not mean to confer that power I want you to say so. However highly I esteem the learning of the honorable chairman of the Judiciary Committee, I am not willing to trust to his declaration that that power is not to be conferred, and I want this Congress to say that in conferring these civil rights they do not mean to confer the right to vote.

"Talk to me, sir, about the words 'civil rights' not including the right to vote! What is a civil right? It is a right that pertains to me as a citizen. And how do I get the right to vote? I get it by virtue of citizenship, and I get it by virtue of nothing else. When this act is passed into a law, and I find a Republican judge in any of the States of this country deciding that under it a negro has the right to vote, I am not going to quarrel with the opinion of that judge, because I believe he is deciding the law correctly. Sir, if you do not intend to confer that right, say so. If you do not mean to invade the States of this Union, and take from them the right to prescribe the qualifications of voters, say so. That is all I ask. Do not leave it in doubt."

The amendment was rejected, and the bill reported to the Senate and concurred in. It



was then ordered to be engrossed, read a third time and passed, as follows:

YEAS—Messrs. Anthony, Brown, Chandler, Clark, Conness, Cragin, Dixon, Fessenden, Foot, Foster, Harris, Henderson, Howard, Howe, Kirkwood, Lane of Indiana, Lane of Kansas, Morgan, Morrill, Nye, Poland, Pomeroy, Ramsey, Sherman, Sprague, Stewart, Sumner, Trumbull, Wade, Willey, Williams, Wilson, and Yates—33.

NAYS—Messrs. Buckalew, Cowan, Davis, Guthrie, Hendricks, McDougall, Nesmith, Norton, Riddle, Saulsbury, Stockton, and Van Winkle—12.

ABSENT—Messrs. Creswell, Doolittle, Grimes, Johnson, and Wright—5.

In the House, on March 1st, the bill to protect all persons in the United States in their civil rights, was called up and amended.

Mr. Wilson, of Iowa, said: "Mr. Speaker, I think I may safely affirm that this bill, so far as it declares the equality of all citizens in the enjoyment of civil rights and immunities, merely affirms existing law. We are following the Constitution. We are reducing to statute form the spirit of the Constitution. We are establishing no new right, declaring no new principle. It is not the object of this bill to establish new rights, but to protect and enforce those which already belong to every citizen. I am aware, sir, that this doctrine is denied in many of the States; but this only proves the necessity for the enactment of the remedial and protective features of this bill. If the States would all observe the rights of our citizens, there would be no need of this bill. If the States would all practise the constitutional declaration, that

The citizens of each State shall be entitled to all privileges and immunities of citizens in the several States (*Article four, section two, Constitution of the United States*),

and enforce it, as meaning that the citizen has

The right of protection by the Government, the enjoyment of life and liberty, with the right to acquire and possess property of every kind, and to pursue and obtain happiness and safety; to claim the benefit of the writ of *habeas corpus*; to institute and maintain actions of any kind in the courts of the State; to take, hold, and dispose of property, either real or personal; to be exempt from higher taxes or impositions than are paid by the other citizens of the State (*Corfield vs. Coryell*, 4 *Washington's Circuit Court Reports*, p. 380),

we might very well refrain from the enactment of this bill into a law. If they would recognize that 'general citizenship' (Story on the Constitution, vol. ii., p. 604), which under this clause entitles every citizen to security and protection of personal rights (*Campbell vs. Morris*, 3 *Harris & McHenry*, 535), we might safely withhold action. And if, above all, Mr. Speaker, the States should admit, and practise the admission, that a citizen does not surrender these rights because he may happen to be a citizen of the State which would deprive him of them, we might, without doing violence to the duty devolved upon us, leave the whole subject to the several States. But, sir, the practice of the States leaves us no avenue of escape, and we must do our duty by supplying the protection which the States deny.

"Mr. Speaker, if all our citizens were of one race and one color, we would be relieved of most of the difficulties which surround us. This bill would be almost, if not entirely, unnecessary, and if the States, seeing that we have citizens of different races and colors, would but shut their eyes to these differences, and legislate, so far at least as regards civil rights and immunities, as though all citizens were of one race and color, our troubles as a nation would be well-nigh over. But such is not the case, and we must do as best we can to protect our citizens, from the highest to the lowest, from the whitest to the blackest, in the enjoyment of the great fundamental rights which belong to all men.

"It will be observed that the entire structure of this bill rests on the discrimination relative to civil rights and immunities made by the States on 'account of race, color, or previous condition of slavery.' That these things should not be, is no answer to the fact of their existence. That the result of the recent war, and the enactment of the measures to which the events of the war naturally led us, have intensified the hate of the controlling class in the insurgent States toward our colored citizens is a fact against which we can neither shut our ears nor close our eyes. Laws barbaric and treatment inhuman are the rewards meted out by our white enemies to our colored friends. We should put a stop to this at once and forever. And yet I would not do this in a way which would deprive a white man of a single right to which he is entitled. I would merely enforce justice for all men; and this is lawful, it is right, and it is our bounden duty."

Mr. Rogers, of New Jersey, said: "Now, sir, no bill has been offered in this House or in the other, the freedmen's bill not excluded, which proposes to give to Congress such dangerous powers over the liberties of the people as this bill under consideration, and if it can be constitutionally passed by the Congress of the United States, and is no infringement upon the reserved or undelegated powers of the States, then Congress has the right, not only to extend all the rights and privileges to colored men that are enjoyed by white men, but has the right to take away. If Congress has the right to extend the great privileges of citizenship, which heretofore have been controlled by the States, to any class of beings, they have the right, by the same authority, to take away from any class of people in any State the same rights that they have the right to extend to another class of persons in the same State. In other words, if the Congress has power under our present organic law to decide what rights and privileges shall be extended to negroes, it has the same power and authority under that organic law to extend its legislation so as to take away the most inestimable and valuable rights of the white men and the white women of this country, and not only take away but destroy every blessing of life, liberty, and property, upon the principle



that Congress has unlimited sovereign power over the rights of the States; and whenever, in its judgment, it may see fit, it may carry this power on to an unlimited extent."

Mr. Cook, of Illinois, in reply, said: "Sir, I know of no way by which these men can be protected except it be by the action of Congress, either by passing this bill or by passing a constitutional amendment. And when gentlemen tell me that they are in favor of protecting the people of color, and yet oppose every practicable method of protecting them, I beg leave most respectfully to doubt their judgment in the matter. The question is, shall we leave these men in this condition? It is idle to say we are not leaving them to a system of slavery. If it had not been for the acts of the military commanders, had not the laws which have already been enacted by the Legislatures of the rebel States been set aside, the negroes would all have been slaves now under the operation of their vagrant acts or other laws.

"I believe that this bill is a proper remedy for these evils. I believe that we have the constitutional power to pass it, and that it is our duty to pass it. I affirm that we shall be justly chargeable with want of good faith, want of honor and of common honesty, if we abandon these men, who by our invitation have aided us and have thereby made themselves obnoxious to the majority of the white men of the South, and leave them to the tender mercies of our enemies and theirs."

Mr. Thayer, of Pennsylvania, followed on the same side of the question, saying: "The sole purpose of the bill is to secure to that class of persons the fundamental rights of citizenship; those rights which constitute the essence of freedom, and which are common to the citizens of all civilized States; those rights which secure life, liberty, and property, and which make all men equal before the law, as they are equal in the scales of eternal justice and in the eyes of God.

"To accomplish this great purpose, the bill declares, in the first place, that all persons born in the United States, and not subject to any foreign power, are citizens of the United States. Now, I do not regard that as the enunciation of any new principle. It is, in my judgment, but declaratory of the existing law. According to my apprehension, every man born in the United States, and not owing allegiance to a foreign power, is a citizen of the United States. It is a rule of universal law, adopted and maintained among all nations that they who are born upon the soil are the citizens of the State. They owe allegiance to the State, and are entitled to the protection of the State. Such is the law, whether you put it into this bill or not. So far as this declaration of the bill is concerned, it is but reiterating an existing and acknowledged principle of law.

"Well, conceding that this general proposition is true, either by the force of existing law, or by the declaration which it is proposed to put

into this bill, it is then asked, by what power, by what authority, do you propose to guarantee and protect the rights of the citizens of this Government? If the proposition which I have assumed as true be correct, that these people are citizens of the United States, does it not seem at the first blush to be a very singular proposition to say that the United States under its Constitution have no right to guarantee to its own citizens, by positive law, those great fundamental rights of citizenship which are enumerated in this bill? Does it not strike the mind of every man with wonder that the framers of the Constitution of the United States who made this great and wonderful fabric of human Government, and who evinced so much skill and foresight in making it, should have framed a Government which is incapable of protecting its citizens in these fundamental rights of citizenship? Would it not be an extraordinary circumstance if the framers of the Constitution had made a Constitution which was powerless to protect the citizens of the United States in their fundamental civil rights, their rights of life, liberty, and property? And yet to that position are these gentlemen driven who deny the existence of any power which authorizes Congress to pass this bill.

"If I am asked from whence the power is derived to pass this bill, I reply that I derive it, in the first place, from the second section of the late amendment to the Constitution. I say, further, that so far as regards the power to declare the freemen citizens is concerned, it may be clearly derived (if it be not inherent in the very frame of every Government) from that clause of the Constitution which gives the express power to Congress to pass laws for naturalization. And I might say, also, that in my judgment sufficient power is found, by implication at least, in that clause of the Constitution which guarantees to all the citizens of the United States their right to life, liberty, and property."

Mr. Eldridge, of Wisconsin, in opposition, said: "This bill is, it appears to me, one of the most insidious and dangerous of the various measures which have been directed against the interest of the people of this country. It is another of the measures designed to take away the essential rights of the States. I know that when I speak of States and State rights, I enter upon unpopular subjects. But, sir, whatever other gentlemen may think, I hold that the rights of the States are the rights of the Union, that the rights of the States and the liberty of the States are essential to the liberty of the individual citizen. The gentleman from Pennsylvania (Mr. Thayer) inquires what right of the States this bill proposes to take away. I reply, it seeks to lay prostrate at the feet of the Federal Government the judiciary of the States. It not only proposes to enter the States to regulate their police and municipal affairs, but it attempts to destroy the independence of the State judiciary.



"Is it not an invasion of the right of the citizen of a State when you declare that an independent judge, who, in the exercise of his conscientious judgment and in obedience to his oath of office, renders a decision in accordance with the laws and constitution of his State, shall be convicted as a criminal and subjected to punishment by fine or imprisonment? Is it not a most flagrant and tyrannical interference with the independence of the judiciary when you thus seek to influence a judge in his decision by holding up before him a penalty for the violation of some pretended right of some black inhabitant of a State? Has the citizen no interest in the independence of the judiciary? Is this not an interference with the rights of the white man? The inquiry was made by some gentleman—I think by the gentleman from Missouri (Mr. Loan)—why are these penalties made applicable only to the judicial officer? It was answered that the purpose was to control the judge and prevent his executing the law of the State by his judgment when it operated peculiarly upon the freedman, and thereby enforce the execution of the Federal law. There is no doubt it is a measure designed to accumulate and centralize power in the Federal Government."

After further debate, the bill was recommitted, by yeas 82, nays 70.

On March 13th, the bill was reported back from the Committee on the Judiciary, with amendments, and passed by the following vote:

YEAS—Messrs. Alley, Allison, Ames, Anderson, James M. Ashley, Baker, Baldwin, Banks, Baxter, Beaman, Bidwell, Blaine, Blow, Boutwell, Bromwell, Broomall, Buckland, Bundy, Sidney Clarke, Cobb, Conkling, Cook, Cullom, Darling, Davis, Dawes, Delano, Deming, Dixon, Donnelly, Driggs, Dumont, Eliot, Farasworth, Farquhar, Ferry, Garfield, Grinnell, Abner C. Harding, Hart, Hayes, Higby, Hill, Holmes, Hooper, Asahel W. Hubbard, Chester D. Hubbard, Demas Hubbard, John H. Hubbard, Hurlburt, James Humphrey, Ingersoll, Jenckes, Julian, Kelley, Kelso, Ketcham, Kuykendall, Laffin, George V. Lawrence, William Lawrence, Loan, Longyear, Lynch, Marston, Marvin, McClurg, McRuer, Mercier, Miller, Moorhead, Morrill, Morris, Moulton, Myers, Newell, O'Neill, Orth, Paine, Perham, Pike, Plants, Price, Alexander H. Rice, Sawyer, Schenck, Schofield, Shellabarger, Sloan, Spalding, Starr, Stevens, Thayer, Francis Thomas, John L. Thomas, Trowbridge, Upson, Van Aernam, Burt Van Horn, Ward, Warner, Elihu B. Washburne, William B. Washburn, Welker, Wentworth, Whaley, Williams, James F. Wilson, Stephen F. Wilson, Windom, and Woodbridge—111.

NAYS—Messrs. Ancona, Bergen, Bingham, Boyer, Brooks, Coffroth, Dawson, Denison, Glossbrenner, Goodyear, Grider, Aaron Harding, Harris, Hogan, Edwin N. Hubbell, Jones, Kerr, Latham, Le Blond, Marshall, McCullough, Nicholson, Phelps, Radford, Samuel J. Randall, William H. Randall, Ritter, Rogers, Ross, Rousseau, Shanklin, Sitgreaves, Smith, Tabor, Taylor, Thornton, Trimble, and Winfield—38.

NOT VOTING—Messrs. Delos R. Ashley, Barker, Benjamin, Brandagee, Chanler, Reader W. Clark, Culver, Defrees, Eckley, Eggleston, Eldridge, Finck, Griswold, Hale, Henderson, Hotchkiss, James R. Hubbell, James M. Humphrey, Johnson, Kasson,

McIndoe, McKee, Niblack, Noell, Patterson, Pomeroy, Raymond, John H. Rice, Rollins, Stillwell, Strouse, Robert, T. Van Horn, Henry D. Washburn, and Wright—34.

In the Senate, on March 15th, the question came up on concurrence with the amendments of the House.

The first amendment was in section one, line five, after the words "United States," to strike out—

Without distinction of color, and there shall be no discrimination in civil rights or immunities among the inhabitants of any State or Territory of the United States on account of race, color, or previous condition of slavery; but the inhabitants.

And in lieu thereof to insert "and such citizens;" so as to make the section read:

That all persons born in the United States and not subject to any foreign power, excluding Indians not taxed, are hereby declared to be citizens of the United States; and such citizens of every race and color, without regard to any previous condition of slavery or involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall have the same right, etc.

The next amendment of the House was in section one, line thirteen, after the word "right," to insert the words "in every State and Territory in the United States;" so that the clause will read:

And such citizens of every race and color, without regard to any previous condition of slavery or involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall have the same right in every State and Territory in the United States to make and enforce contracts, to sue, be parties and give evidence, to inherit, purchase, lease, sell, hold, and convey real and personal property, and to full and equal benefit of all laws and proceedings for the security of persons and property.

These amendments were concurred in, with others of less importance.

On March 27th President Johnson returned the bill with his objections to the Senate, where it originated. (For the bill and veto message, see PUBLIC DOCUMENTS.)

In the Senate, on April 4th, the veto of the President was taken up for consideration.

Mr. Trumbull, of Illinois, took the floor, to show "that the provisions of the bill were not unjust to the whole or to any portion of the people, nor unconstitutional." He insisted that there was no section of it that was not clearly constitutional. The first section was merely declaratory of what the law was, and Congress has the right to declare who shall be citizens of the United States. He then considered the objection that a part of the States were unrepresented. As it was their own fault, he insisted that the other States should not be thereby deprived of the power of legislation. To the objection that the bill proposed a discrimination against a large number of intelligent foreigners in favor of the negro, he replied that the bill declared there should be no distinction in civil rights between any other race or color and the white race. To the objection to the



second section of the bill as affording discriminating protection to colored persons, as providing for counteracting forbidden legislation by imposing fine and imprisonment upon legislators who may pass conflicting laws, he said: "But, sir, there is another answer, in my judgment, more conclusive, to all these objections to this second section, which is the vital part of the bill. Without it, it would scarcely be worth the paper on which the bill is written, a law without a penalty, without a sanction, is of little value to anybody. What good does it do for the Legislature to say, 'Do this, and forbear to do that,' if no consequence is to follow the act of disobedience? This is the vitality of the bill. What is the objection that is made to it, and which seems even to have staggered some friends of the measure? It is because it reads in the first section that any person who 'under color of law' shall commit these offences shall be subject to the penalties of the law. Suppose those words had been left out and the bill read, 'any person who shall subject any inhabitant of a State to different punishment by reason of his color shall be punished,' would there have been any objection to the bill then? That is the way most criminal laws read. That is the way the law punishing conspiracies against the Government reads. If two or more persons conspire together to overthrow the Government, or by force to resist its authority, they are liable to indictment, and, upon conviction, to imprisonment in the penitentiary and to heavy fine. Would the fact that the persons engaged in the conspiracy were judges or Governors or ministerial officers, acting under color of any statute or custom, screen them from punishment? Surely not.

"These words 'under color of law' were inserted as words of limitation, and not for the purpose of punishing persons who would not have been subject to punishment under the act if they had been omitted. If an offence is committed against a colored person simply because he is colored, in a State where the law affords him the same protection as if he were white, this act neither has nor was intended to have any thing to do with his case, because he has adequate remedies in the State courts; but if he is discriminated against under color of State laws, because he is colored, then it becomes necessary to interfere for his protection.

"The assumption that State judges and other officials are not to be held responsible for violations of United States laws, when done under color of State statutes or customs, is akin to the maxim of the English law that 'the king can do no wrong.' It places officials above the law. It is the very doctrine out of which the rebellion was hatched."

Mr. Johnson, of Maryland, in opposition to the bill, said: "Now, what does this bill do? It says that every man born within the United States, whether born as a slave or not—for it is not prospective, operating only upon those who may be born subsequent to the abolition

of slavery in the United States—but whoever was born at any time, though born in slavery, is to be considered a citizen by reason of the fact of his being born alone. The States where slavery existed declared, at the time of the birth, if he was born of a slave mother, that he was a slave. The constitutions and laws of the States, undisputed, declared—I mean the States in which slavery existed—that no descendant of a colored mother, whether she was free or not, was to be considered a citizen by virtue of birth; and yet my friend from Illinois, and the Congress of the United States in passing this bill, have declared that those who were born in a state of slavery, who were never citizens as long as that condition existed, who were prevented from becoming citizens by the constitution of the State in which they resided, which has never been changed, shall, by force of this enactment, be considered as citizens of the United States, and of course for all purposes. If it be true that whether birth is to give citizenship of the United States depends upon the fact whether the party born by the laws of the State in which he is born becomes a citizen of that State, then I should like to know where is the authority in Congress to interfere with what the State has done in the past, or may be doing in the present, or may do in the future, unless it can be accomplished under the constitutional amendment."

The debate on the message was continued by Messrs. Cowan, Stewart, Wade, Brown, Doolittle, and others, when the question was taken on the passage of the bill, "the objections of the President of the United States to the contrary notwithstanding," and the vote resulted as follows:

YEAS—Messrs. Anthony, Brown, Chandler, Clark, Conness, Cragin, Creswell, Edmunds, Fessenden, Foster, Grimes, Harris, Henderson, Howard, Howe, Kirkwood, Lane of Indiana, Morgan, Morrill, Nye, Poland, Pomeroy, Ramsey, Sherman, Sprague, Stewart, Sumner, Trumbull, Wade, Willey, Williams, Wilson, and Yates—33.

NAYS—Messrs. Buckalew, Cowan, Davis, Doolittle, Guthrie, Hendricks, Johnson, Lane of Kansas, McDougall, Nesmith, Norton, Riddle, Saulsbury, Van Winkle, and Wright—15.

ABSENT—Mr. Dixon.

The President *pro tempore* thus announced it: "The yeas being 33, and the nays 15, the bill has passed the Senate by the requisite constitutional majority, notwithstanding the objection of the President to the contrary."

On April 9th the bill and message were received by the House from the Senate. A motion was made to lay the same on the table, and lost—yeas 37, nays 122. The question of the passage of the bill was then taken and decided as follows:

YEAS—Messrs. Alley, Allison, Delos R. Ashley, James M. Ashley, Baker, Baldwin, Banks, Barker, Baxter, Beaman, Benjamin, Bidwell, Boutwell, Brundage, Bromwell, Broomall, Buckland, Bundy, Reader W. Clark, Sidney Clarke, Cobb, Colfax, Conkling, Cook, Cullom, Darling, Davis, Dawes, Defrees, Delano, Deming, Dixon, Dodge, Donnelly, Eckley,



Eggleston, Eliot, Farnsworth, Farquhar, Ferry, Garfield, Grinnell, Griswold, Hale, Abner C. Harding, Hart, Hayes, Henderson, Higby, Hill, Holmes, Hooper, Hotchkiss, Asahel W. Hubbard, Chester D. Hubbard, John H. Hubbard, James R. Hubbell, Hulburd, James Humphrey, Ingersoll, Jenckes, Kasson, Kelley, Kelso, Ketcham, Laflin, George V. Lawrence, William Lawrence, Loan, Longyear, Lynch, Marston, Marvin, McClurg, McIndoe, McKee, McRuer, Mercur, Miller, Moorhead, Morrill, Morris, Moulton, Myers, Newell, O'Neill, Orth, Paine, Patterson, Perham, Pike, Plants, Pomeroy, Price, Alexander H. Rice, John H. Rice, Rollins, Sawyer, Schenck, Schofield, Shellabarger, Spalding, Starr, Stevens, Thayer, Francis Thomas, John L. Thomas, Trowbridge, Upson, Van Aernam, Burt Van Horn, Robert T. Van Horn, Ward, Elihu B. Washburne, Henry D. Washburn, William B. Washburn, Welker, Wentworth, James F. Wilson, Stephen F. Wilson, Windom, and Woodbridge—122.

YAYS—Messrs. Ancona, Bergen, Boyer, Coffroth, Dawson, Denison, Eldridge, Finck, Glossbrenner, Aaron Harding, Harris, Hogan, Edward N. Hubbell, James M. Humphrey, Latham, Le Blond, Marshall, McCullough, Niblack, Nicholson, Noell, Phelps, Radford, Samuel J. Randall, William H. Randall, Raymond, Ritter, Rogers, Ross, Rousseau, Shanklin, Sitgreaves, Smith, Strouse, Tabor, Taylor, Thornton, Trimble, Whaley, Winfield, and Wright—41.

NOT VOTING—Messrs. Ames, Anderson, Bingham, Blaine, Blow, Chanler, Culver, Driggs, Dumont, Goodyear, Grider, Demas Hubbard, Johnson, Jones, Julian, Kerr, Kuykendall, Sloan, Stillwell, Warner, and Williams—21.

The Speaker thus announced the result: "On the question, 'Shall this bill pass notwithstanding the objections of the President?' the yeas are 122 and the nays 41. Two-thirds of the House having, upon this reconsideration, agreed to the passage of the bill, and it being certified officially that a similar majority of the Senate, in which the bill originated, also agreed to its passage, I do, therefore, by the authority of the Constitution of the United States, declare that this bill, entitled 'An act to protect all persons in the United States in their civil rights and furnish the means of their vindication,' has become a law."

In the Senate, on January 12th, the bill "to enlarge the powers of the Freedmen's Bureau" was reported from the Committee on the Judiciary, with amendments, which were agreed to.

Mr. Stewart, of Nevada, said: "Mr. President, I desire to make a few remarks in reply to the Senator from Ohio, and this bill being before the Senate, calls up the precise question upon which I desire to occupy the attention of the Senate for a moment upon the subject discussed by the Senator from Ohio. Without attempting to make a speech, I wish to remark that here is a practical measure before the Senate for the benefit of the freedman, carrying out the constitutional provision to protect him in his civil rights. I am in favor of this bill. It goes to the utmost extent that I think we are entitled to go under the constitutional amendment. There is another bill introduced by the Senator from Illinois which must go along with it, which provides civil jurisdiction for the pro-

tection of the freedman. Under this constitutional amendment we can protect the freedman and accomplish something for his real benefit.

"So far as this question of negro suffrage is concerned, I say it stands upon a different basis from the other propositions discussed by the gentleman, and the other positions assumed by the President. I do not believe that we must arrive at the conclusion that there must be universal suffrage throughout the South, without regard to color, before we can organize those States. This is the only issue between us now. If this question were out of the way, we could settle every thing else in two weeks, at least so far as a portion of the Southern States are concerned, and we could receive such Southern representatives as are loyal and none other. As the Senator from Ohio has said, there would be no difficulty in agreeing upon every thing else, if it were not for the question of negro suffrage in the South. We may as well meet the issue here and understand each other. This is the issue—the only issue before the country. We all want the Union; we all want the Constitution; we all want to see each State enjoying the blessings of that Union and Constitution alike; but there are some who are determined to sacrifice the Union and the Constitution unless they can achieve the right of suffrage for the negro."

Mr. Wade: "I wish to ask the Senator this question: if it was the verdict of the war that slavery should be abolished, was it not also the verdict, if it was further necessary for the security of the country, that suffrage should be awarded to the colored people that you had set free? Why was not that as much a verdict of the war as the other?"

Mr. Stewart: "The Senator from Ohio assumes that it is necessary for the security of the country that the right of suffrage should be granted to the negro; that the Government cannot be carried on without it. That is an assumption that is hardly warranted. But even if that were true, it would not be as much a verdict of the war as the other."

Mr. Wade: "Why not?"

Mr. Stewart: "Because the other was named; this was not. The other was named in the pleadings upon which we went to trial and fought it out; this is an issue outside of the pleadings, one that was not named, and consequently not as much a verdict of the war. That is the reason.

"But, sir, I contend that it is not necessary to call in the aid of the black man to the government of this country. I do not pretend to say that he shall not at some future time have the right of suffrage under restrictions. But when he shall receive it, it will be for his benefit, not ours. I believe the Anglo-Saxon race can govern this country. I believe it because it has governed it. I believe it because it is the only race that has ever founded such institutions as ours. I believe it because we have a peculiar situation, peculiar education, peculiar



qualifications which are not common to other sections or other races of the world. I believe the white man can govern it without the aid of the negro; and I do not believe that it is necessary for the white man that the negro should vote. If he ever does vote, it will be simply as a boon to him. I think we can carry on the Government without him. I think we have had abundant proof of that.

"Inasmuch as this was not a part of the verdict of the war; inasmuch as I do not believe it to be necessary for the preservation of the Union, but will endanger our national existence, I am for the Union without negro suffrage, but I am not in favor of turning the negro over to oppression in the South. I am in favor of legislation under the constitutional amendment that shall secure to him a chance to live, a chance to hold property, a chance to be heard in the courts, a chance to enjoy his civil rights, a chance to rise in the scale of humanity, a chance to be a man. I am in favor of this because we are pledged to do it. We have given him freedom, and that implies that he shall have all the civil rights necessary to the enjoyment of that freedom. The Senator from Illinois has introduced two bills, well and carefully prepared, which if passed by Congress will give full and ample protection under the constitutional amendment to the negro in his civil liberty, and guarantee to him civil rights, to which we are pledged."

Mr. Hendricks, of Indiana, followed, in opposition to the bill. He said that the bill proposed to make the Freedmen's Bureau permanent, and to extend it over the States of the North as well as the South. It asked for an appropriation of nearly twelve millions of dollars to carry on the operations. It provides for an army of officers who are to be organized under the War Department. It proposes to confirm the rights of the colored people to lands under General Sherman's order, for three years, and authorizes the officers to buy homes for the poor colored freedmen. He further said: "The language is very comprehensive. We propose, first, to legislate against the effects of 'local law, ordinance, police, or other regulation;' then against 'custom,' and lastly, against 'prejudice,' and to provide that if 'any of the civil rights or immunities belonging to white persons' are denied to any person because of color, then that person shall be taken under the military protection of the Government. I do not know whether that will be understood to extend to Indiana or not. That will be a very nice point for the bureau to decide, I presume, after the enactment of the law. The section limits its operation to 'any State or district in which the ordinary course of judicial proceedings has been interrupted by the rebellion.'"

"It is claimed that under the second section, Congress may do any thing necessary, in its judgment, not only to secure the freedom of the negro, but to secure to him all civil rights that are secured to white people. I deny that construction, and it will be a very dangerous con-

struction to adopt. The first section abolishes slavery. The second section provides that Congress may enforce the abolition of slavery 'by appropriate legislation.' What is slavery? It is not a relation between the slave and the State; it is not a public relation; it is a relation between two persons whereby the conduct of the one is placed under the will of the other. It is purely and entirely a domestic relation, and is so classed by all law writers; the law regulates that relation as it regulates other domestic relations. This constitutional amendment broke asunder this private relation between the master and his slave, and the slave then, so far as the right of the master was concerned, became free; but did the slave, under that amendment, acquire any other right than to be free from the control of his master? The law of the State which authorized this relation is abrogated and annulled by this provision of the Federal Constitution, but no new rights are conferred upon the freedman.

"Then, sir, to make a contract is a civil right which has ordinarily been regulated by the States. The form of that contract and the ceremonies that shall attend it are not to be regulated by Congress, but by the States. Suppose that it becomes the judgment of the State that a contract between a colored man and a white man shall be evidenced by other solemnities and instruments than are required between two white men, shall not the State be allowed to make such a provision? Is it a civil right to give evidence in courts? Is it a civil right to sit upon a jury? If it be a civil right to sit upon a jury, this bill will require that if any negro is refused the privilege of sitting upon a jury, he shall be taken under the military protection of the Government. Is the right to marry according to a man's choice a civil right? Marriage is a civil contract, and to marry according to one's choice is a civil right. Suppose a State shall deny the right of amalgamation, the right of a negro man to intermarry with a white woman, then that negro may be taken under the military protection of the Government; and what does that mean? Under the seventh section, in such a case as that, when you have taken the negro under the military protection of the Government, perhaps sent a squad of men after him, what is then to be done when he is thus protected? What is meant by taking him under the protection of the Government? Does it mean that this military power shall enforce his civil right, without respect to the prohibition of the local law? In other words, if the law of Indiana, as it does, prohibits under heavy penalty the marriage of a negro with a white woman, may it be said a civil right is denied him which is enjoyed by all white men, to marry according to their choice, and if it is denied, the military protection of the colored gentleman is assumed, and what is the result of it all? I suppose they are then to be married in the camp of the protecting officer without regard to the State laws."



Mr. Trumbull, of Illinois, in reply, said that it was not intended to make the bureau a permanent institution, but to aid and protect those helpless people until they could take care of themselves. The bureau was a part of the military establishment not only during the conflict, but until peace could be firmly established. The authority of the bureau was designed to be exercised under the war powers of the Government. It was proposed to extend the bureau beyond the insurrectionary States in order to protect the freedmen in the other States. He further said:

"My object in bringing forward these bills was to bring to the attention of Congress something that was practical, something upon which I hoped we all could agree. I have said nothing in these bills which are pending, and which have been recommended by the Committee on the Judiciary—and I speak of both of them because they have both been alluded to in this discussion—about the political rights of the negro. On that subject it is known that there are differences of opinion, but I trust there are no differences of opinion among the friends of the constitutional amendment, among those who are for real freedom to the black man, as to his being entitled to equality in civil rights. If that is not going as far as some gentlemen would desire, I say to them it is a step in the right direction. Let us go that far, and going that far, we have the coöperation of the executive department."

Mr. Cowan, of Pennsylvania, followed, saying: "I have not had an opportunity to examine the bill exactly in all its details. If it was only to operate for the relief of the refugees, of course I suppose there could be no valid objection to it; but the operation of the original bill and this supplement is much wider, and really intends to introduce an *imperium in imperio*. It carries with it not only the power to relieve the refugee, but also a police power which in my State would be exceedingly objectionable; and that the mere fact should be recognized for one instant that it was to operate there, or might by any possibility operate there, would be exceedingly mischievous, and I am unwilling upon this floor, and feel it utterly inconsistent with my duty to my State, to allow any such thing to pass here. Where the necessity for this institution exists, let it be confined there, but let it not be extended beyond. If there are any portions of the States which have not been in rebellion where this jurisdiction is necessary, they should be accurately defined, because this is an extraordinary jurisdiction, and one which trenches upon those peculiar and acknowledged State rights which are estimated very highly by all of us everywhere—one which ought not to be extended beyond the limits of that necessity which begets its existence."

Mr. Guthrie, of Kentucky, said: "Mr. President, I should like to know the peculiar reasons why this bill is to be extended to the State of

Kentucky. She has never been in rebellion. Though she has been overrun by rebel armies, and her fields laid waste, she has always had her full quota in the Union armies, and the blood of her sons has marked the fields whereon they have fought. Kentucky does not want and does not ask this relief. The freedmen in Kentucky are a part of our population; and where the old and lame and halt and blind and infants require care and attention they obtain it from the counties. Our whole organization for the support of the poor, through the agencies of the magistrates in the several counties, is complete."

Mr. Saulsbury, of Delaware, opposed the passage of the bill, saying: "Now, sir, I wish to show to the Senate and to the country what are the dangerous powers intrusted to this Freedman's Bureau, and to those who shall have the management of it. You will recollect, Mr. President, that the original bill provided for the appointment of one commissioner with a salary of \$3,000, with the privilege of having under him clerks at a certain salary. This bill provides that there may be districts formed not exceeding twelve out of the whole number of States in the Union, and that 'there shall be an assistant commissioner for each district with like salary.' That, as I stated the other day, would amount to the sum of \$36,000. It provides, also, that these twelve districts may be subdivided by the President of the United States so as to make the sub-districts within the whole limits of the United States one for each county or parish in the United States.

"The number of counties in the United States is eighteen hundred and seventy-eight, I believe, as corrected by my friend, the Senator from Kentucky, exclusive of the two new States recently admitted. There being, then, that number of counties in the United States, and this bill giving to the President of the United States the power to appoint an agent for every one of those counties at a salary of \$1,500 each, there would be an expenditure of \$2,817,000. Then there are seventy-two clerks of assistant commissioners which this bill provides for, at \$1,200 each, and they would amount to \$86,400. Then thirty-seven hundred and fifty eight clerks of agents (for the bill gives the power to appoint these assistant commissioners, these agents, and clerks for them), would amount to \$4,507,600, making the cost under this bill to the people of the United States for officers alone \$7,442,000.

"What a magnificent bill this would be for a presidential election! With all these agencies appointed by the Executive of the United States interested in his reelection, or in the success of the candidate of the party of which he might be a member, what a powerful political engine it would be to operate upon such an election!

"But, sir, this is not all the expense that will be incurred by this bill. Another section requires that there shall be three million acres of land assigned in certain States in the South for



these freedmen; and, mark you, the negro is a great favorite in the legislation of Congress, and the bill provides that it shall be 'good land.' No land is to be provided for the poor white men of this country, not even poor land; but when it comes to the negro race three million acres must be set apart, and it must be 'good land' at that. I know that the bill provides that this land shall be rented to the negro: but those of you who have observed the thriftiness and skill with which the negro population manage their agricultural operations, will find that when Sambo comes to pay his rent his rent will be pretty much like the rent of the individual who, when his landlord called upon him for his one-third of the produce of the farm, said, 'sir, I did not produce a third.' He will raise nothing to pay the rent. I estimate the rental value of those three million acres of your land at five dollars per acre, and the free negroes of the country are to be entitled to \$15,000,000 more in the way of rental of lands; for no one can suppose that their benevolent and faithful friends of the Republican party will ever collect any rents from them, least of all that any such rents will ever be received into the Treasury of the United States.

"The bill provides that these three million acres shall be in allotments of forty acres each, and each freedman is to have a farm of good land of forty acres; and you do not propose to put the negro upon his little farm of forty acres without a house to live in, because your bill provides in another section that they shall be provided with shelter. Then, after having given him forty acres of good land to live upon, what will it cost to build a very moderate dwelling-house, with necessary out-houses, for this favorite of the legislation of Congress? Not less than \$300, because the negro race now think, at least, that they are equal to the white race, and they have a right to believe, considering the legislation of Congress and the laudation which we hear every day of them, that they are a little better. The erection of these buildings will require an additional expenditure of \$22,500,000. Sir, the time was when it was said that a white man, provided he behaved himself, was as good as a negro; but, looking at the legislation of Congress and the tone of the public press of the Northern States, I think we shall have to come to the conclusion that even if the white man does behave himself, he is not quite as good as the negro, for you find no bills introduced in Congress to furnish homes and houses to the white men of this country, whether poor or rich.

"But, sir, this is not the only expense. You say in this bill that these negroes shall be furnished with provisions, medicines, etc. When you look around upon your own galleries and see the free negroes who are living out of the bounty of the Freedmen's Bureau sitting here every day witnessing your deliberations, do you suppose that the freedmen contemplated by this bill are going to work when others who

are living out of the Freedmen's Bureau are witnessing every day the proceedings of Congress? Certainly not. I estimate, then, that to these four million freedmen you would have to give the small sum of fifty dollars each; and that would be a very small sum. This would require a further expenditure of \$200,000,000.

"Your bill does not stop there; but this enfranchised race must be schooled; and your bill provides that there shall be school-houses, ay, and asylums too, erected for them. I suppose that of the freedmen of the United States there will be nearly a million, including the children and those who are grown, who need schooling, and whom it will be necessary to educate; and mark you, the extent of the supplies is left discretionary with the commissioner; he may expend this money at his discretion. Well, sir, how many pupils will there be, and how many school-houses will be required? I suppose, first, there will be a million pupils, young and old, of this whole race; and I suppose it would cost twenty dollars each to school them. That would take \$20,000,000. I suppose it would take thirty thousand school-houses, and your bill authorizes the building of these houses, and that each school will cost \$300. Here is an additional item of expense amounting in the aggregate to the sum of \$9,000,000.

"Then, after the negro has his house built for him and his forty acres of land allotted to him, he has not the means, you tell us, of providing for himself; his farm must be stocked, and your bill, under the clause for 'furnishing the necessary provisions,' gives the power to stock it. What will that cost? I suppose it will cost \$300 to each of the seventy-five thousand farms, which will amount to the further trifling sum of \$22,500,000.

"Thus, sir, we see that the amount of expenditure authorized under the provisions of this bill, or the loss to the Government under it, may be no less than \$295,000,000, and cannot reasonably be supposed to be less than \$250,000,000."

Mr. Fessenden, of Maine, followed in support of the bill, saying: "Mr. President, I was about to say that this bill, as it stands, is intended to meet a necessary or an inevitable result of the war—a war initiated by the South, carried on by them—a contest long, bitter, and exhausting. In the course of that war it became necessary to take measures to emancipate the slaves. Those measures were taken; they had their effect; and, as a consequence, the Constitution has now been changed so that slavery no longer exists in this country. A large body of men, women, and children, millions in number, who had received no education, who had been laboring from generation to generation for their white owners and masters, able to own nothing, to accomplish nothing, are thrown, without protection, without aid, upon the charities of the world, in communities hostile to them, in communities which



had been in the habit of looking upon them not only with derision but with all the feelings of contempt which it is possible one human being can indulge toward another, so far as their *status* was concerned and so far as they were concerned, and in communities, too, angered, outraged, if you please, by the fact that all these men had been freed from their domination. That was a necessity arising out of the contest. They were so freed, and found themselves and were found in that condition; and why? For the reason that we were compelled to avail ourselves of their services, in one particular, and in another for the reason that we were compelled to deprive their masters of the material aid which they furnished toward carrying on the contest against us; and thus we find them when arms have disappeared.

"Now, will any man tell me that under such circumstances, a great people having availed themselves of that very fact, having used these former slaves, having deprived the enemy of all the aid which he received from them, will now throw them upon the world without the slightest protection, without the slightest aid, without any comfort, exposed to persecution and prosecution in every possible shape; and why? Because there is no provision in the Constitution whereby Congress is authorized to feed and clothe anybody. We have a written Constitution. In spite of all that the honorable Senator from Delaware has chosen to say, I think we have a respect for it. I think in all cases we have endeavored to adhere to it. There may have been some cases during the war where its provisions were violated, and perhaps necessarily violated. That comes as a matter inevitable in the course of all governments in the many contingencies to which they are exposed, and under circumstances for which no previous provision could be made; but I would have gentlemen to reflect upon one thing, that as a part of the Constitution, written or unwritten, of all governments, stand the laws of nations necessarily, inevitably, from the relations which all communities bear to each other, and from the contingencies to which they are exposed. That being the case, and that unwritten law of nations being actually a part of our written law, we accept, as we must accept, all the consequences which follow from it.

"We have been plunged into a war almost, if not quite, the greatest of modern times, involving vast results. Will gentlemen undertake to tell me that under such circumstances the necessary results of that war, if it brings about a state of things not found in our written Constitution, are to be avoided, shunned, not noticed in any possible way; that our affairs as connected with it are not to be closed up under the same law which governed us and govern all nations while the war continued? If so, what a miserable, weak, powerless people we are! We can carry on a great war, but the moment the clash of arms has ceased to strike our ears we become utterly powerless to pro-

vide for any of its necessary and inevitable results, because it is not written in the Constitution what we should do in a case which could not be foreseen, and which the founders of this Government purposely avoided foreseeing or speaking about! They provided on general principles for the emergency, but did not talk of it as a thing that could possibly occur. The Greeks would not mention in their laws the crime of parricide, because they would not suppose it was a crime that could ever be perpetrated.

"We find ourselves in that condition, we, the Congress of the United States who have been carrying on this war—because after all, as part of the Government, we have carried it on—the gentlemen who sit opposite me, and who do not agree with me in my political views and sentiments, and with whom I do not agree, giving their aid to the same thing, I trust with a good heart and good spirit, I trust honestly and meaning all they appeared to do; and when they find us or find themselves and the Government in this condition necessarily as an inevitable and unavoidable result of the contest which they themselves have waged, the moment we begin to provide for what came out of it they tell us, 'You are working against the Constitution; you cannot find any thing there by which you can feed or clothe a man, woman, or child.' That is the substance of what the honorable Senator from Delaware has told us to-day, and he finds particular offence in the fact that occasionally you see a skin a little darker than his own in the gallery. That is unconstitutional too, I suppose.

"Sir, I accept no such doctrines. Whether you call it the war power or some other power, the power must necessarily exist, from the nature of the case, somewhere, and if anywhere, in us, to provide for what was one of the results of the contest in which we have been engaged. All the world would cry shame upon us if we did not. I know the gentlemen on the other side of the House, and personally I respect them; we are on the best terms in the world that men can be on who do not think alike; and I would trust the honorable Senator from Delaware himself if the case was put upon him to decide, and he had to bear the responsibility of it before the world. He would not dare, no, he would not wish, to avoid it. Every sentiment of his heart, and every manly emotion of his nature would revolt at any such idea. It only shows the difference between what a man would do himself and what for party purposes he can advise others to do.

"I have thus stated the foundation of the bill. And what have we already done? At the last session of Congress we did what, although I was not a member of Congress at the time, met with my perfect approbation; we put it upon the War Department to take care of these people who had been a part of the war, and an essential part of the war. We recognized it as connected with the military operations of the



country, as it properly was. I did not approve at the time of the attempt to put it in any shape upon the Treasury Department; it did not belong there. It was connected with our military operations, and could best be carried on as a part of them. Those operations having ceased in the field, we were not by that means delivered from what remained to be done in order to carry out to the full all that was incumbent upon us to do to accomplish the purpose. We could not divest ourselves if we would of the responsibility that was upon us in reference to that matter, and we would not if we could; and again I will do the honorable Senators on the other side the justice to say that if the responsibility was on them they would not attempt any such thing for their own good name and for the good name and credit of their country.

"With regard, therefore, to all these details of objection to the bill—and I rose principally to say this—I see nothing which should trouble anybody arising from the considerations which have been advanced to us with reference to the constitutionality of the bill itself. We must meet it, and we must meet it under some power. There is no positive prohibition. It is a thing to be done. We have the power to appropriate money, and though we do not find a specific power to appropriate money for this particular purpose, it is yet an object of Government, a thing that the Government and country must provide for, and there is no other way of doing it. If we may appropriate money for this purpose, I ask the Senator to tell me what the distinction is between money and land; for, much as the objection originally struck me, I have been obliged to inquire why if I found the power to do the one I did not find the power to do the other. We may give away the public lands, but it does not follow from that power that we cannot purchase land. We may take the title and the power of Government over lands that are purchased for the mere purpose of carrying into execution certain specified powers. That has been decided. But because we may have specific permission in the Constitution to do that, it is a *non sequitur* that we have no power beyond it. To be sure, the lawyer's argument may be that from the fact of certain powers being specifically granted others are excluded; but we cannot argue thus in this case when we come to apply it to a state of facts that could not be contemplated before they arose."

On January 24th, Mr. Davis of Kentucky, stated his objections, as follows: "I oppose the passage of this measure—

"1. Because a majority of the Senate exclude Senators from eleven States from their seats for the purpose of securing the passage of this and other measures:

"2. The measure is unconstitutional, because it proposes to invest the Freedmen's Bureau with judicial powers; because it authorizes the President to assign army officers to the exercise

of those judicial powers; because it breaks down the partition of the powers of the Government made by the Constitution, and blends and concentrates in the same hands executive and judicial powers; and because it deprives the citizen of his right to trial by jury in civil cases.

"3. It ought not to pass because it is a scheme devised to practise injustice and oppression upon the white people of the late slaveholding States for the benefit of the free negroes, to engender strife and conflict between the two races, and to prostitute the powers of the Government for the impoverishment and degradation of the white race and the enrichment and exaltation of the negro race.

"4. It will produce a profligate, wasteful, and unnecessary expenditure of the public money.

"5. It is one of the bold, reckless, and unconstitutional systems of measures devised by the radical party to enable it to hold on to power and office."

These objections were sustained by lengthy remarks, after which the bill was passed by the following vote:

YEAS—Messrs. Anthony, Brown, Chandler, Clark, Conness, Cragin, Creswell, Dixon, Doolittle, Fessenden, Foot, Foster, Grimes, Harris, Henderson, Howard, Howe, Kirkwood, Lane of Indiana, Lane of Kansas, Morgan, Morrill, Norton, Nye, Poland, Pomeroy, Ramrey, Sherman, Sprague, Stewart, Sumner, Trumbull, Van Winkle, Wade, Williams, Wilson, and Yates—37.

NAYS—Messrs. Buckalew, Davis, Guthrie, Hendricks, Johnson, McDougall, Riddle, Saulsbury, Stockton, and Wright—10.

ABSENT—Messrs. Cowan, Nesmith, and Willey—3.

In the House, a new bill as a substitute to the Senate bill, was passed by the following vote:

YEAS—Messrs. Alley, Allison, Ames, Anderson, Delos R. Ashley, James M. Ashley, Baker, Baldwin, Banks, Barker, Baxter, Beaman, Benjamin, Bidwell, Bingham, Blaine, Blow, Boutwell, Brandagee, Bromwell, Broomall, Bundy, Reader W. Clark, Sidney Clarke, Cobb, Conkling, Cook, Cullom, Darling, Davis, Dawes, Defrees, Delano, Deming, Dixon, Donnelly, Driggs, Dumont, Eckley, Eggleston, Eliot, Farnsworth, Farquhar, Ferry, Garfield, Grinnell, Griswold, Hale, Abner C. Harding, Hart, Hayes, Henderson, Higby, Hill, Holmes, Hooper, Hotchkiss, Asahel W. Hubbard, Chester D. Hubbard, Demas Hubbard, John H. Hubbard, James R. Hubbell, James Humphrey, Ingersoll, Jenckes, Julian, Kasson, Kelley, Kelso, Ketcham, Kuykendall, Laffin, Latham, George V. Lawrence, William Lawrence, Loan, Longyear, Lynch, Marston, Marvin, McClurg, McIndoe, McKee, McRuer, Mercur, Miller, Moorhead, Morrill, Morris, Moulton, Myers, Newell, O'Neill, Orth, Paine, Patterson, Perham, Phelps, Pike, Plants, Pomeroy, Price, William H. Randall, Raymond, Alexander H. Rice, John H. Rice, Rollins, Sawyer, Schenck, Scofield, Schellabarger, Smith, Spalding, Starr, Stevens, Stillwell, Thayer, Francis Thomas, John L. Thomas, Trowbridge, Upson, Van Aernam, Burt Van Horn, Robert T. Van Horn, Ward, Warner, Elihu B. Washburne, William B. Washburn, Welker, Wentworth, Whaley, Williams, James F. Wilson, Stephen F. Wilson, Windom, and Woodbridge—136.

NAYS—Messrs. Boyer, Brooks, Chanler, Dawson,



Eldridge, Finck, Glossbrenner, Grider, Aaron Harding, Harris, Hogan, Edwin N. Hubbell, James M. Humphrey, Kerr, Le Blond, Marshall, McCullough, Niblack, Nicholson, Noell, Samuel J. Randall, Ritter, Rogers, Ross, Rousseau, Shanklin, Sitgreaves, Strouse, Tabor, Taylor, Thornton, Trimble, and Wright—33.

NOT VOTING—Messrs. Ancona, Bergen, Buckland, Culver, Denison, Goodyear, Hulburd, Johnson, Jones, Radford, Sloan, Voorhees, and Winfield—13.

This amendment was reported back on February 8th, from the Committee on the Judiciary to whom it had been committed in the Senate.

Mr. Trumbull, of Illinois, stated, that it consisted of the Senate bill *verbatim* with a few exceptions. These limited the operation of the bureau to those sections of the country within which the writ of *habeas corpus* was suspended on February 1, 1866, being the insurrectionary States and Kentucky. It had no operation except where there were freedmen. It limited the number of clerks and their pay; and forbade the purchase of land, except with special appropriations made by Congress. These limitations constituted the chief features of the House bill, in which the Committee recommended the Senate to concur with a few exceptions, the effect of which was to remove the limitation of the operations of the bureau to certain sections of the country. This report was concurred in by the Senate, and subsequently approved by the House.

On February 19th, the President sent to the Senate a message with his objections to the bill. (See PUBLIC DOCUMENTS.)

On motion of Mr. Lane, of Indiana, the consideration of the message was postponed until the next day, when the message was discussed by Messrs. Davis of Kentucky, Trumbull of Illinois, and Willey, of West Virginia. The vote was then taken on the passage of the bill, the objections of the President to the contrary notwithstanding, as follows:

YEAS—Messrs. Anthony, Brown, Chandler, Clark, Conness, Cragin, Creswell, Fessenden, Foster, Grimes, Harris, Henderson, Howard, Howe, Kirkwood, Lane of Indiana, Lane of Kansas, Morrill, Nye, Poland, Pomeroy, Ramsey, Sherman, Sprague, Sumner, Trumbull, Wade, Williams, Wilson, and Yates—30.

NAYS—Messrs. Buckalew, Cowan, Davis, Dixon, Doolittle, Guthrie, Hendricks, Johnson, McDougall, Morgan, Nesmith, Norton, Riddle, Saulsbury, Stewart, Stockton, Van Winkle, and Willey—18.

ABSENT—Messrs. Foot and Wright—2.

Two-thirds of the members present not having voted for the bill, it failed to become a law.

In the House, on May 22d, Mr. Eliot, of Massachusetts, from the select Committee on Freedmen's Affairs, reported a bill entitled: "An act to establish a Bureau for the relief of Freedmen and Refugees, and for other purposes." Subsequently Mr. Eliot explained that the bill continued the bureau for the term of two years, and provided that its care should be extended to all loyal refugees and freedmen. Other sections changed the objectionable features of the previous act, and also embodied the provisions of the Civil Rights bill. He then proceeded to

examine the existing law, and to show that more protection was necessary. Several amendments were offered and adopted, when the bill passed by the following vote:

YEAS—Messrs. Allison, Ames, Anderson, Delos R. Ashley, James M. Ashley, Baker, Baldwin, Banks, Baxter, Beaman, Bidwell, Blaine, Bromwell, Buckland, Reader W. Clark, Sidney Clarke, Cobb, Cook, Cullom, Dawes, Defrees, Deming, Dixon, Dodge, Donnelly, Dumont, Eckley, Eggleston, Eliot, Farquhar, Ferry, Garfield, Abner C. Harding, Hart, Henderson, Higby, Holmes, Hooper, Asabel W. Hubbard, Chester D. Hubbard, Demas Hubbard, John H. Hubbard, James R. Hubbell, Ingersoll, Jenckes, Julian, Kelley, Latham, George V. Lawrence, William Lawrence, Loan, Longyear, Lynch, Marston, McClurg, McKee, McRuer, Mercur, Moorhead, Morrill, Morris, Myers, O'Neill, Orth, Paine, Patterson, Perham, Pike, Plants, Price, Alexander H. Rice, John H. Rice, Rollins, Sawyer, Schenck, Schofield, Shellabarger, Sloan, Starr, Stevens, Stillwell, Thayer, Francis Thomas, Trowbridge, Upson, Van Aernam, Burt Van Horn, Ward, Henry D. Washburn, William B. Washburn, Welker, Whaley, Williams, James F. Wilson, Stephen F. Wilson, and Woodbridge—96.

NAYS—Messrs. Ancona, Bergen, Chanler, Darling, Davis, Dawson, Eldridge, Glossbrenner, Goodyear, Grider, Hale, Aaron Harding, Hogan, Edwin N. Hubbell, James M. Humphrey, Kuykendall, Le Blond, Marshall, Marvin, McCullough, Niblack, Nicholson, Radford, Samuel J. Randall, Raymond, Ritter, Ross, Sitgreaves, Strouse, Taylor, Trimble, and Wright—32.

NOT VOTING—Messrs. Alley, Barker, Benjamin, Bingham, Blow, Boutwell, Boyer, Brandagee, Broomall, Bundy, Coffroth, Conkling, Culver, Delano, Denison, Driggs, Farnsworth, Finck, Grinnell, Griswold, Harris, Hayes, Hill, Hotchkiss, Hulburd, James Humphrey, Johnson, Jones, Kasson, Kelso, Kerr, Ketcham, Laffin, McIndoe, Miller, Moulton, Noell, Phelps, Pomeroy, William H. Randall, Rogers, Rousseau, Shanklin, Smith, Spalding, Tabor, John L. Thomas, Thornton, Robert T. Van Horn, Warner, Eilhu B. Washburne, Wentworth, Windom, and Winfield—55.

On June 26th the bill came up for consideration in the Senate. Some amendments were proposed by Mr. Wilson, of Massachusetts, and adopted, the most important of which was to strike out the sixth section of the bill and insert seven others, relating to lands in South Carolina and Georgia, occupied under the order of General Sherman. On a motion to limit the number of officers and their pay—

Mr. Hendricks, of Indiana, said: "The question now is whether the commissioner shall have the power to appoint as many clerks and agents as he pleases; and I did not think that the Senator was happy in meeting that particular point. He says that the salary is fixed. I say to the Senator that the salary is not fixed. The number is not defined, and the salary is not fixed. This bill provides that the clerks and agents shall not receive less than \$500 nor more than \$1,200; but if the commissioner chooses, he may give to one man \$500 and to another man \$1,200 for doing the very same thing."

"Mr. Wilson, of Massachusetts, followed, saying: "I take it we would all agree with the Senator from Indiana and fix the number of officers and define their pay if it was in our power to do so; but we do not know precisely the number of



officers that will be needed and we cannot tell the exact amount of their duties. In one State it will be much larger than in others. We have, therefore, been driven to the necessity of allowing the commissioner, under the direction of the President, to appoint these officers, 'so far as the same shall be, in his judgment, necessary for the efficient and economical administration of the affairs of the bureau.' The object is to have as few employes as it is possible to get along with, and to pay them at the cheapest rate. We authorize them, in order to avoid the necessity of appointing new men, to detail men from the army. We provide, also, that the clerks appointed shall have a salary of not less than \$500 nor more than \$1,200, and the persons to be appointed will receive a salary somewhere between those two sums. I think the provision of the bill as it now stands is imposed upon us by the very necessities of the case. Wherever we can define the number of officers and fix their salaries, I think it is our duty to do it; but I think we cannot do it here; and I hope, therefore, that the amendment will not be adopted."

All the amendments were approved by the Senate, and the bill ordered to be engrossed for the third reading, when Mr. Hendricks, of Indiana, in opposition, said: "I think this is a very objectionable measure, and regret to see it pass; but I am well aware that any argument that could be made upon it, at this stage of its consideration, would not influence its fate, and therefore I do not propose to take up the time of the Senate in its discussion further than to say that in the very nature of the thing, an institution of this sort cannot bring good either to the white or to the colored race, in my judgment. I do not believe that any bureau can be a success which sends men into a community to govern a part of that community. There is no society in New England, there is no society in the Northwest, which can be governed well for the country under a system like this. I think during the last six months we have had so much information in regard to the practical operation of this bureau as to call upon men to hesitate before they continue its existence for two years longer. My information upon the subject is, and it is that upon which I rely, that this bureau has been a cause of evil and disturbance in the Southern States, and has not secured to the colored people that blessing which is any compensation to the country for the enormous expense it is upon the national treasury."

The bill was then passed.

The House, on June 29th, refused to concur in the amendments of the Senate, and a Committee of Conference was appointed by both Houses.

In the Senate, on July 2d, the committee made a report, which was concurred in.

In the House, on July 3d, the Conference Committee made a report, which Mr. Eliot, of Massachusetts, thus explained the more important features: "Mr. Speaker, the first amendment which the Senate made to the bill as it was passed by the House was simply an enlarge-

ment of one of the sections of the House bill, which provided that the volunteer medical officers engaged in the medical department of the bureau might be continued, inasmuch as it was expected that the medical force of the regular army would be speedily reduced to the minimum, and in that case all the regular officers would be wanted in the service. It was therefore thought right that there should be some force connected with the Bureau of Refugees and Freedmen. The Senate enlarged the provisions of the House bill by providing that officers of the volunteer service now on duty might be continued as assistant commissioner and other officers, and that the Secretary of War might fill vacancies until other officers could be detailed from the regular army. That is the substance of the first material amendment.

"The next amendment made by the Senate was to strike out a section of the House bill which simply provided that upon application for restoration by the former owners of the land assigned under General Sherman's field order, the application should not be complied with. That section is stricken out and another substituted for it, which provides that certain lands, which are now owned by the United States, having been purchased by the United States under tax commissioners' sales, shall be assigned in lots of twenty acres to freedmen who have had allotments under General Sherman's field order, at the price for which the lands were purchased by the United States; and not only that those freedmen should have such allotments, but that other freedmen who had had lots assigned to them under General Sherman's field order, and who may have become dispossessed of their land, should have assignments made to them of these lands belonging to the United States.' I think the justice of that provision will strike every one. And it will be perhaps a merit in the eyes of many that it does not call upon the Treasury for the expenditure of any money. In the bill which was passed by the House it will be recollected that there was a provision under which there should be purchased by the commissioner of the bureau enough public lands to be substituted for the lands at first assigned to freedmen. Instead of that, provision is made by which they can have property belonging to the United States which has come into its possession under tax sales, and where the titles have been made perfect by lapse of time."

Mr. Washburn, of Indiana: "What is the price at which these lands are to be sold to freedmen?"

Mr. Eliot: "A dollar and a half an acre."

Mr. Washburn, "That is not the cost to the Government."

Mr. Eliot: "I ought to state that the price is fixed in the bill at \$1.50 an acre. The gentleman from Indiana (Mr. Washburn) says that is not the cost to the Government. I am not so familiar with the facts as to be able to state how that is. The next amendment of the Senate provides that certain lands which were purchased



by the United States at tax sales, and which are now held by the United States, should be sold at prices not less than ten dollars an acre, and that the proceeds should be invested for the support of schools, without distinction of color or race, on the islands in the parishes of St. Helena and St. Luke. That is all the provision which was made for education. It will be remembered that in the other bill there was a provision which was deemed pretty elaborate and pretty extensive. That provision was stricken out and the provision of the Senate is a substitute for it. The next amendment, or rather a part of one long amendment, consists of two sections that merely provide for carrying into execution the prior sections to which I have referred.

"The only other material amendment made by the Senate gives to the commissioner of the bureau power to take property of the late Confederate States, held by them or in trust for them, and which is now in charge of the commissioner of the bureau—to take that property and devote it to educational purposes. The amendment further provides that when the bureau shall cease to exist, such of the late so-called Confederate States as shall have made provision for education without regard to color should have the balance of money remaining on hand, the same to be divided among them in proportion to their population."

The House subsequently concurred in the report.

On July 16th, the President returned the bill to the House with his objections, as follows:

*To the House of Representatives :*

A careful examination of the bill passed by the two Houses of Congress entitled "An act to continue in force and to amend an act to establish a Bureau for the relief of Freedmen and Refugees, and for other purposes," has convinced me that the legislation which it proposes would not be consistent with the welfare of the country, and that it falls clearly within the reasons assigned in my message of the 19th of February last (*see PUBLIC DOCUMENTS*), returning, without my signature, a similar measure which originated in the Senate. It is not my purpose to repeat the objections which I then urged. They are yet fresh in your recollection, and can be readily examined as a part of the records of one branch of the national Legislature. Adhering to the principles set forth in that message, I now reaffirm them, and the line of policy therein indicated.

The only ground upon which this kind of legislation can be justified is that of the war-making power. The act of which this bill was intended as amendatory was passed during the existence of the war. By its own provisions it is to terminate within one year from the cessation of hostilities and the declaration of peace. It is therefore yet in existence, and it is likely that it will continue in force as long as the freedmen may require the benefit of its provisions. It will certainly remain in operation as a law until some months subsequent to the meeting of the next session of Congress, when, if experience shall make evident the necessity of additional legislation, the two Houses will have ample time to mature and pass the requisite measures. In the mean time the questions arise, why should this war measure be continued beyond the period designated in the original act; and why, in time of peace, should military tribunals be created to continue until each "State

shall be fully restored in its constitutional relations to the Government, and shall be duly represented in the Congress of the United States?" It was manifest, with respect to the act approved March 3, 1865, that prudence and wisdom alike required that jurisdiction over all cases concerning the free enjoyment of the immunities and rights of citizenship, as well as the protection of person and property, should be conferred upon some tribunal in every State or district where the ordinary course of judicial proceeding was interrupted by the rebellion, and until the same should be fully restored. At that time, therefore, an urgent necessity existed for the passage of some such law. Now, however, the war has substantially ceased; the ordinary course of judicial proceedings is no longer interrupted; the courts, both State and Federal, are in full, complete, and successful operation, and through them every person, regardless of race and color, is entitled to and can be heard. The protection granted to the white citizen is already conferred by law upon the freedman; strong and stringent guards, by way of penalties and punishments, are thrown around his person and property, and it is believed that ample protection will be afforded him by due process of law, without resort to the dangerous expedient of "military tribunals," now that the war has been brought to a close.

The necessity no longer existing for such tribunals, which had their origin in the war, grave objections to their continuance must present themselves to the minds of all reflecting and dispassionate men. Independently of the danger in representative republics of conferring upon the military in time of peace extraordinary powers—so carefully guarded against by the patriots and statesmen of the earlier days of the Republic, so frequently the ruin of governments founded upon the same free principle, and subversive of the rights and liberties of the citizen, the question of practical economy earnestly commands itself to the consideration of the law-making power. With an immense debt, already burdening the incomes of the industrial and laboring classes, a due regard for their interests, so inseparably connected with the welfare of the country, should prompt us to rigid economy and retrenchment, and influence us to abstain from all legislation that would unnecessarily increase the public indebtedness. Tested by this rule of sound political wisdom, I can see no reason for the establishment of the "military jurisdiction" conferred upon the officials of the bureau by the fourteenth section of the bill.

By the laws of the United States, and of the different States, competent courts, Federal and State, have been established and are now in full practical operation. By means of these civil tribunals, ample redress is afforded for all private wrongs, whether to the person or the property of the citizen, without denial or unnecessary delay. They are open to all, without regard to color or race. I feel well assured that it will be better to trust the rights, privileges, and immunities of the citizen to tribunals thus established and presided over by competent and impartial judges, bound by fixed rules of law and evidence, and where the right of trial by jury is guaranteed and secured, than to the caprice and judgment of an officer of the bureau, who, it is possible, may be entirely ignorant of the principles that underlie the just administration of the law. There is danger, too, that conflict of jurisdiction will frequently arise between the civil courts and these military tribunals, each having concurrent jurisdiction over the person and the cause of action—the one judicature administered and controlled by civil law, the other by the military. How is the conflict to be settled, and who is to determine between the two tribunals when it arises? In my opinion it is wise to guard against such conflict by leaving to the courts and juries the protection of all civil rights and the redress of all civil grievances.

The fact cannot be denied that since the actual cessation of hostilities many acts of violence, such



perhaps as had never been witnessed in their previous history, have occurred in the States involved in the recent rebellion. I believe, however, that public sentiment will sustain me in the assertion that such deeds of wrong are not confined to any particular State or section, but are manifested over the entire country, demonstrating that the cause that produced them does not depend upon any particular locality, but is the result of the agitation and derangement incident to a long and bloody civil war. While the prevalence of such disorders must be greatly deplored, their occasional and temporary occurrence would seem to furnish no necessity for the extension of the bureau beyond the period fixed in the original act. Besides the objections which I have thus briefly stated, I may urge upon your consideration the additional reason that recent developments in regard to the practical operations of the bureau in many of the States show that in numerous instances it is used by its agents as a means of promoting their individual advantage; and that the freedmen are employed for the advancement of the personal ends of the officers, instead of their own improvement and welfare, thus confirming the fears originally entertained by many that the continuation of such a bureau for any unnecessary length of time would inevitably result in fraud, corruption, and oppression.

It is proper to state that in cases of this character investigations have been promptly ordered, and the offender punished whenever his guilt has been satisfactorily established. As another reason against the necessity of the legislation contemplated by this measure, reference may be had to the "Civil Rights bill," now a law of the land, and which will be faithfully executed as long as it shall remain unreppealed and may not be declared unconstitutional by courts of competent jurisdiction. By that act it is enacted "that all persons born in the United States and not subject to any foreign power, excluding Indians not taxed, are hereby declared to be citizens of the United States; and such citizens, of every race and color, without regard to any previous condition of slavery or involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall have the same right in every State and Territory in the United States, to make and enforce contracts, to sue, to be parties, and give evidence, to inherit, purchase, lease, sell, hold, and convey real and personal property, and to full and equal benefit of all laws and proceedings for the security of person and property, as is enjoyed by white citizens, and shall be subject to like punishment, pains, and penalties, and to none other, any law, statute, ordinance, regulation, or custom to the contrary notwithstanding."

By the provisions of the act full protection is afforded, through the district courts of the United States, to all persons injured, and whose privileges, as there declared, are in any way impaired; and heavy penalties are denounced against the person who wilfully violates the law. I need not state that that law did not receive my approval; yet its remedies are far preferable to those proposed in the present bill; the one being civil and the other military.

By the sixth section of the bill herewith returned, certain proceedings by which the lands in the "parishes of St. Helena and St. Luke, South Carolina," were sold and bid in, and afterward disposed of by the tax commissioners, are ratified and confirmed. By the seventh, eighth, ninth, tenth, and eleventh sections, provisions by law are made for the disposal of the lands thus acquired to a particular class of citizens. While the quieting of titles is deemed very important and desirable, the discrimination made in the bill seems objectionable, as does also the attempt to confer upon the commissioners judicial powers, by which citizens of the United States are to be deprived of their property in a mode contrary to that provision of the Constitution which declares that no

person "shall be deprived of life, liberty, or property without due process of law." As a general principle, such legislation is unsafe, unwise, partial, and unconstitutional. It may deprive persons of their property who are equally deserving objects of the nation's bounty as those whom by this legislation Congress seeks to benefit. The title to the land thus to be portioned out to a favored class of citizens, must depend upon the regularity of the tax sale under the law as it existed at the time of the sale, and no subsequent legislation can give validity to the rights thus acquired as against the original claimants. The attention of Congress is therefore invited to a more mature consideration of the measures proposed in these sections of the bill.

In conclusion, I again urge upon Congress the danger of class legislation, so well calculated to keep the public mind in a state of uncertain expectation, disquiet, and restlessness, and to encourage interested hopes and fears that the national Government will continue to furnish to classes of citizens in the several States means for support and maintenance, regardless of whether they pursue a life of indolence or of labor, and regardless also of the constitutional limitations of the national authority in times of peace and tranquillity.

The bill is herewith returned to the House of Representatives, in which it originated, for its final action.

ANDREW JOHNSON.

WASHINGTON, July 16, 1866.

After the reading of the message the bill was repassed by the House by a two-thirds vote, as follows:

YEAS—Messrs. Alley, Allison, Ames, Anderson, Delos R. Ashley, James M. Ashley, Baker, Banks, Barker, Baxter, Benjamin, Bidwell, Bingham, Boutwell, Bromwell, Buckland, Bundy, Reader W. Clark, Sidney Clarke, Cobb, Conkling, Cook, Dawes, De-frees, Delano, Deming, Donnelly, Driggs, Eckley, Eggleston, Eliot, Ferry, Garfield, Grinnell, Griswold, Hale, Hart, Henderson, Higby, Holmes, Hooper, Hotchkiss, Asahel W. Hubbard, Chester D. Hubbard, John H. Hubbard, James R. Hubbell, Hulburd, Julian, Kasson, Kelley, Ketcham, Laffin, Latham, George V. Lawrence, William Lawrence, Loan, Long-year, Lynch, Marston, McClurg, McKee, McRuer, Mercur, Miller, Moorhead, Morrill, Morris, Moulton, Myers, Newell, O'Neill, Orth, Perham, Pike, Plants, Price, William H. Randall, Alexander H. Rice, Rollins, Sawyer, Schofield, Shellabarger, Spalding, Stevens, Thayer, John L. Thomas, Trowbridge, Van Aernam, Burt Van Horn, Robert T. Van Horn, Ward, Warner, Elihu B. Washburne, William B. Washburn, Welker, Wentworth, Whaley, Williams, James F. Wilson, Stephen F. Wilson, Windom, Woodbridge, and the Speaker—104.

NAYS—Messrs. Ancona, Boyer, Dawson, Eldridge, Finck, Glossbrenner, Grider, Aaron Harding, Hogan, Humphrey, Johnson, Kerr, Kuykendall, Le Blond, Marshall, Niblack, Nicholson, Noell, Phelps, Samuel J. Randall, Raymond, Ritter, Rogers, Ross, Rousseau, Shanklin, Sitgreaves, Tabor, Taylor, Thornton, Trimble, Henry D. Washburn, and Wright—33.

NOT VOTING—Messrs. Baldwin, Beaman, Bergen, Blaine, Blow, Brandagee, Broomall, Chanler, Cof-froth, Cullom, Culver, Darling, Davis, Denison, Dixon, Dodge, Dumont, Farnsworth, Farquhar, Goodyear, Abner C. Harding, Harris, Hayes, Hill, Demas Hubbard, Edwin N. Hubbell, Ingersoll, Jenckes, Jones, Kelso, McCullough, McIndoe, Paine, Patterson, Pomeroy, Radford, John H. Rice, Schenck, Sloan, Smith, Starr, Stillwell, Strouse, Francis Thomas, Upson, and Winfield—45.

In the Senate, the bill was again passed by the following vote:

YEAS—Messrs. Anthony, Brown, Chandler, Clark, Conness, Cragin, Creswell, Edmunds, Fessenden, Foster, Grimes, Harris, Henderson, Howard, Howe, Kirk-



wood, Lane of Indiana, Morgan, Morrill, Nye, Poland, Pomeroy, Ramsey, Sherman, Sprague, Stewart, Sumner, Trumbull, Wade, Willey, Williams, Wilson, and Yates—33.

YAYS—Messrs. Buckalew, Davis, Doolittle, Guthrie, Hendricks, Johnson, McDougall, Nesmith, Norton, Riddle, Saulsbury, and Van Winkle—12.

ABSENT—Messrs. Cowan, Dixon, Lane of Kansas, and Wright—4.

In the House, on March 14th, a bill reported by the Committee on the Judiciary to amend the act of 1863, relative to the responsibility of officers, etc., was considered. Mr. Cook, of Illinois, stated the object of the bill to be to relieve all officers and persons acting under military authority from responsibility when sued for acts done during the late war, when done by order of superior officers, and to provide for the trial of the question of authority in the Federal instead of the State courts.

He said: "The first section of this bill provides that an order from any military officer of the United States holding the command of the department, district, or place within which the act complained of shall have been done, shall be a defence.

"This provision is rendered necessary from the fact which appears in evidence before the committee that the State courts in some of the border States have held, under section four of the act of which this is an amendment, that the order of the President of the United States is necessary to justify the party doing the act, and as it is scarcely possible for a party sued to produce an order from the President of the United States directing him to do the particular act complained of, the law became in many instances a dead letter. The principle that a Government shall relieve its officer from individual responsibility for any act done by the command of a military superior has been settled so long and so well that I do not propose to discuss it now. In order to make that principle operative in the act to which this is an amendment, the provision contained in the first section of this bill is indispensably necessary. Where the State courts hold that the order of the President of the United States himself must be produced to justify the impressment of a horse or seizure of forage or military supplies, the protection designed to be given by the act is taken entirely away. The spirit of the first act it is believed is met by the words of this amendment, which provides that a military order issued by any person having the command of the district, department, or place where the act complained of is done shall be a defence. The soldier or subordinate officer must at his peril obey without question the order of his superior, and that order should protect him from individual responsibility for acts done in pursuance of it.

"The second section of the bill has reference merely to the character of the evidence of the existence of this order which shall be produced.

"The third section of the bill provides for the removal of the action from the State to

the Federal courts at any time before the jury was impanelled to try the same. By the original act it was necessary that the motion for a change of venue should be filed at the term that the appearance of the defendant was entered. Evidence is before the committee tending to show that in the State of Kentucky alone fifteen hundred suits have been brought against citizens who acted or claimed to act in behalf of the United States, for acts done by command of military officers. In the vast majority of these cases the defendants were not aware that it was necessary that the motion to change the venue should be made at the appearance term. In some cases the suits were brought before the act became generally known, and in consequence thereof many are prevented from taking the change of venue to the Federal court which they desired to do.

"I find by reference to the act of 1833, called the 'force bill,' precisely such a provision was inserted to meet the state of facts in South Carolina in nullification times. That act provides that the change of venue may be taken at any time before trial. To meet this difficulty, and to secure to those who were intended to be protected by the law of 1863 the benefit of that protection, it is provided in the third section of this act that the change of venue may be made after the appearance of the defendant and before the impanelling of the jury to try the cause. That applies to suits pending as well as to suits to be commenced hereafter. The object of the section is to give relief to those men who have been sued there, and who, not understanding that it was necessary to file a petition for a change of venue at the appearance term, have suffered that term to pass. Section three provides for a state of fact like this: there was evidence before the committee tending to show that in some of the State courts of Kentucky the courts have refused to grant a change of venue after application has been made precisely in accordance with the terms of the act of 1863.

The reasons assigned, so far as I have heard them, are two. The first is, that the act of 1863 is unconstitutional; and the second is, that the court has a discretion which it may exercise to refuse to approve the security which is offered by the defendant that he will file the record in the United States court.

"The fifth section of the bill provides for cases which have occurred in which the clerks of the State courts have refused to give certified copies of the record to be filed in the United States courts, and to prevent the right to a change of venue being defeated by any default of the clerks of the State courts.

"There is another important provision of this bill which I failed to explain. The law of 1863 provides that at the time the defendant shall file his petition for a change of venue he shall give security, to be approved by the State court, conditioned that he will at the next term of the Federal court file a copy of the record in that court. There was evidence before the commit-



tee tending to show that the courts have exercised a discretion to refuse the security when tendered, for the purpose of embarrassing the defendant in securing this change of venue, and consequently it is required in this bill that 'on the filing of the petition, verified as provided in said fifth section, the further proceedings in the State court shall cease, and not be resumed until a certificate, under the seal of the circuit court of the United States, stating that the petitioner has failed to file copies in the said circuit court, at the next term, is produced.'

"The venue is not to be changed unless the party at the next term of the United States court files his copy of the order of the State court. There are but two principles embodied in this bill. Both principles are embodied in the bill of 1833, which received the sanction of Congress and the assent of President Jackson. The first principle is, that the United States will protect its officers in executing its laws and maintaining its authority. And the second principle is, that in testing the question whether a man has been acting under the authority of the United States, the question shall be tried in the courts of United States. Those two principles, I conceive, cannot be surrendered without surrendering entirely the power to administer the Government and to execute the laws."

Mr. Harding, of Kentucky, replied: "Under the original act, to make a valid defence required the special order or authority of the President of the United States. But by this bill any order, verbal or written, general or special, by any officer in command of any district, department, or place, any kind of order is made to justify the act complained of. Now, I beg that this feature of the bill will be noticed, and it will be seen that it is framed wholly in the interests of one of the parties litigant. Congress is asked to intervene between parties litigant after the suit has been commenced, and to act exclusively in favor of one of the parties, and ignore the rights of the other party altogether."

"I learn now for the first time, by the gentleman's remark, that there was evidence before the committee. But what sort of evidence was it? Strictly and rigidly *ex parte* evidence—evidence in favor of the defendants in all cases—but not a word in favor of the plaintiff. The result is what might have been expected. The bill before us is strictly framed in the interest of the defendant, utterly ignoring the rights of the plaintiff."

"Now, sir, is it not worth while to consider the fact that there may be cases in which the plaintiff is not exactly a criminal because he brings a suit, but may have a just cause of action? This bill seems to treat the act of suing in the State courts as but little less criminal than committing the original outrage. Every provision in this bill, from first to last, is manifestly framed in the interest of the defendant, to the utter exclusion of the rights of the plaintiff."

"Sir, I would be willing to give my support

to a bill which should fairly attempt to promote the ends of justice, without regard to the parties litigant. But look at this bill; compare it with the original act. That act requires a special order of the President. It is to be presumed that the President would not act rashly—would not order the arrest of a person without some evidence, or at least some reasonable ground of suspicion. But under the provisions of this bill, if it be passed, any mere law student can, I affirm, frame a defence and exonerate any defendant, though he may have committed robbery, murder, or other high crime; because the defendant is not required to state or to prove that there was any ground of suspicion, or any probable cause whatever for the seizure, arrest, or imprisonment complained of; the order of any officer in command at any place, either general or special, verbal or written, is made a full defence."

Mr. Rogers, of New Jersey, followed in opposition, saying: "Sir, I affirm—and I feel that I can do so without fear of successful contradiction—that the provisions of this bill are contrary to the fundamental principles of our Government; and without regard to any express prohibitions of the Constitution, they are violative of those great rights of property, liberty, and life, which the Government was founded to secure. When this Congress undertakes to trample upon and override the elementary principles of society, it saps the foundation-principles of our Government; and it requires no express restraining clause of the Constitution to forbid such an outrage. The provisions of this bill are inimical to those great doctrines of republican liberty which give vitality to the Constitution of the United States, and which our Revolutionary fathers intended to hand down unimpaired as a priceless jewel to their posterity."

"Sir, the act of March 3, 1863, to which this purports to be a supplement, made 'any order issued by the President or under his authority a complete defence for any search, seizure, arrest, or imprisonment made, done, or committed, or act omitted to be done.' This bill goes much further than that act. It not only dispenses with the kind of proof which was required by that act, but it substitutes a new species of proof. It authorizes the commission of trespasses that were not authorized by the act of March 3, 1863. This bill proposes to legalize 'any search, seizure, arrest, or imprisonment made, done, or committed, or any acts omitted to be done during the said rebellion, by any officer or person under and by virtue of any order, written or verbal, general or special, issued by any military officer of the United States, holding the command of the department, district, or place within which such seizure, search, arrest, or imprisonment was made, done, or committed, or any acts were so omitted to be done, either by the person or officer to whom the order is addressed, or by any other person aiding or assisting him therein.'"



"The act of March 3, 1863, was confined to searches, seizures, arrests, and imprisonments made by men claiming to have military authority and by virtue of the order of the President. This bill goes further, and protects from punishment any act done under 'any order, written or verbal, general or special, issued by any military officer of the United States holding command of the department, district, or place.' Under this bill the military officer commanding any town, though he be only a corporal, will be protected from punishment, though he may without authority have torn the wife from her husband and plunged to her heart the deadly knife of the assassin. If a man can show an order from any military authority, that order exempts him from all responsibility for any outrage, however heinous, which he may have committed. A private soldier can justify himself for rape, arson, murder, or any other outrage, if he can produce the order of his superior officer.

"In addition to that, sir, this bill proposes to legalize as proof that which is unknown to the laws of evidence sanctioned by the common law. A simple telegraphic dispatch, without any proof of its authenticity, is to be received as a defence against any charge. Is that the way in which the liberties of the citizen were intended to be secured by the Constitution? Was it ever contemplated by the framers of that instrument that such evidence should be accepted to screen and protect the midnight assassin from punishment for the gravest crimes of which humanity can be guilty?"

Mr. McKee, of Kentucky, replied: "What does this bill propose? Merely to allow those men who during the war have acted under orders from superior officers, from the President of the United States down to department commanders, and who have committed any acts which could be recognized under the laws of a State as illegal, to be protected in the performance of a duty which they were required to perform under their oath mustering them into the Federal army. The question is, whether we shall protect them from malicious persecution instituted and carried on in the several States by those who never had the interest of the country at heart, and who have taken every opportunity to assail, annoy, and trouble the soldiers of the Federal army. It is a bill, sir, to give them that protection which the Government owes to them. I say that the Government is worthless unless it protects those men to whom it intrusted its own protection, and who saved it from the deadly stroke of treason. This simply protects them in the courts of the United States because the State courts have refused and do refuse to give that protection to these men. I contend, sir, that it is the peculiar province of the Government of the United States in its own courts to guarantee that protection to the officers and soldiers who served in any capacity in its service during the rebellion. There is where they are most likely to

have their rights protected. There is where local prejudices are frowned down."

The bill was further debated by members of the House from Kentucky, where three thousand five hundred suits had been brought, and finally passed by the following vote:

YEAS—Messrs. Alley, Allison, Ames, Anderson, Delos R. Ashley, James M. Ashley, Baker, Baldwin, Banks, Barker, Baxter, Beaman, Bidwell, Bingham, Blaine, Blow, Boutwell, Bromwell, Broonall, Buckland, Bundy, Reader W. Clark, Conkling, Cook, Culom, Delano, Deming, Dixon, Driggs, Dumont, Eggleston, Eliot, Farnsworth, Farquhar, Ferry, Garfield, Grinnell, Abner C. Harding, Hart, Hayes, Henderson, Hill, Holmes, Hooper, Asahel W. Hubbard, Chester D. Hubbard, Demas Hubbard, John H. Hubbard, James R. Hubbell, Hulburt, Ingersoll, Jenckes, Kasson, Kelley, Kelso, Ketcham, Kuykendall, Laffin, Latham, George V. Lawrence, William Lawrence, Loan, Lynch, Marston, Marvin, McClurg, McKee, McRuer, Miller, Moorhead, Morrill, Morris, Moulton, Myers, Newell, Noell, O'Neill, Orth, Paine, Perham, Phelps, Pike, Plants, Price, William H. Randall, Raymond, John H. Rice, Rollins, Rosseau, Sawyer, Schofield, Shellabarger, Sloan, Smith, Stevens, Stillwell, Thayer, Trowbridge, Upson, Van Aernan, Burt Van Horn, Robert T. Van Horn, Ward, Warner, Elihu B. Washburne, William B. Washburn, Welker, Wentworth, Williams, James F. Wilson, Windom, and Woodbridge—112.

NAYS—Messrs. Ancona, Bergen, Boyer, Brooks, Chanler, Coffroth, Dawson, Eldridge, Glossbrenner, Grider, Hale, Aaron Harding, Hogan, Edwin N. Hubbell, James M. Humphrey, Jones, Kerr, Le Blond, Marshall, McCullough, Nicholson, Samuel J. Randall, Ritter, Rogers, Ross, Sitgreaves, Strouse, Tabor, Thornton, Trimble, and Winfield—31.

NOT VOTING—Messrs. Benjamin, Brandagee, Sidney Clarke, Cobb, Culver, Darling, Davis, Dawes, Defrees, Denison, Donnelly, Eckley, Finck, Goodyear, Griswold, Harris, Higby, Hotchkiss, James Humphrey, Johnson, Julian, Longyear, McIndoe, Mercur, Niblack, Patterson, Pomeroy, Radford, Alexander H. Rice, Schenck, Shanklin, Spalding, Starr, Taylor, Francis Thomas, John L. Thomas, Henry D. Washburn, Whaley, Stephen F. Wilson, and Wright—49.

In the Senate, the bill was reported from the Judiciary Committee on April 11th, and postponed until the next day, when several verbal amendments were made.

Mr. Edmunds, of Vermont, moved the following amendment:

Or so far as it operates as a defence for any act done or omitted in any State represented in Congress during the rebellion, and in which, at the time and place of any such act or omission, martial law was not in force.

He said: "Mr. President, I am not one of that class of persons who are struck with constitutional paralysis on every occasion when some necessary law for the security of the public is about to be enacted; and therefore I am willing to go as far as any reasonable degree of patriotism, or even any reasonable degree of courage, will permit into the debatable land of constitutional doubt in passing acts of this kind, which are really designed for the security of men who have been acting under the orders of the Government in enforcing the laws; but it has appeared to me that there are limits beyond which it is not only unsafe, but unwise, for those who represent the people to go, even



for the good end in view of reaching so noble a purpose as that of protecting the persons whom it is said have been sued in actions at law for carrying out the orders of the President of the United States, either directly or indirectly.

"The act of 1863, to which this bill is an amendment, simply provided that the order of the President of the United States, or the order of any one acting under his authority, should stand as a defence against actions of this description. This bill goes further, and provides that not only the order of the President of the United States or of the Secretary of War, but the order of any military officer of the United States holding the command of the department, district, or the place within which any search, seizure, arrest, or imprisonment was made, etc., shall stand as a defence in and of itself; so that in States of the Union which have never been in rebellion, in States of the Union where martial law has never been proclaimed, the act of a captain recruiting a company of volunteers is to be by an *ex post facto* law a complete defence to an action of trespass against him for false imprisonment, or for taking a horse, or whatever it may be. Certainly it must be an extreme necessity indeed which drives us to such legislation as that. It is the exercise, as it appears to me, in regions where martial law and rebellion have not prevailed at all, of a power which can nowhere be found in the Constitution, which can nowhere be raised by implication from any of its provisions, and which is contrary to the natural sense of justice which pervades every man's bosom.

"I know that there is a precedent for this class of legislation. In the time of that king who was called, or rather mis-called, the first gentleman in Europe, and who was certainly the worst monarch, and whose fears of assassination and the overthrow of his Government were such as to drive him nearly crazy, a subservient Parliament passed an act somewhat similar to this, which declared that all arrests of people suspected of treason, which had been made, or which might be made within a certain limited time, should be regarded as lawful, independent of the question of whether there was any ground of suspicion, and independent of the question what subject of his Britannic majesty it was who should make the arrest. But, sir, I have yet to learn that any court in Great Britain ever upheld an act of that description. I believe that no decision can be found anywhere in any civilized community holding that an *ex post facto* enactment, declaring, by mere force of the law, that a past transaction should be guilty or guiltless, had any force at all except as it fortified martial law or operated upon districts where civil law was not in force. Therefore it has appeared to me, not, as I have said before, as one of those persons who are delighted to find constitutional objections to every thing which is proposed in the disturbed state of the country, but rather as

one of those who desire to use that noble instrument to its fullest extent, and not to abuse its powers, that it is unwise as well as illegal to pass a law of this description, which operates upon districts of the country where there has been perfect repose, and where the mantle of the civil law has been unfolded day by day in the courts of justice.

"Now, if I correctly understand public law (and I do not claim any great familiarity with it), where martial law does prevail, the order of the commanding officer, the order of his subordinate traced down through to the smallest corporal that carries a musket, so that it emanates from headquarters, as all proper discipline makes orders emanate, is a defence, independent of enactments and independent of any special statute on the subject. There is no meaning which can be attached, in my judgment, to the term 'martial law,' except that it has the force of law; and therefore, if there were any sections of this country where martial law has prevailed and where these arrests and imprisonments and seizures have been made, whether right or wrong, so that they were made by authority of the superior commander, that very law itself furnishes the justification, and it needs no act of Congress to confirm it. At the same time I am willing, if it be thought that an act of Congress will make it stronger, to acquiesce in that opinion. But when you ask me to go a step further, and into regions where peace and repose have prevailed continually, and martial law has not existed, and where no foe has raised his banner anywhere, and to say that the order of the President of the United States, or the order of any other person professing to act under his authority, however remote, is to be held as a defence in a court of law, then I am compelled to disagree, because it invades what has always been considered the fundamental private rights of every member of organized society."

Mr. Howard, of Michigan, said: "Now, sir, the great object of this bill is, in every case where a soldier or officer has acted in good faith under an order addressed to him or intended for him, to extend to him the protection of the law as against the consequences of any act which he might do and perform under that order or under color of that order, and to enable the defendant in such case as that to transfer the prosecution of the suit (for the proceeding may be criminal or it may be civil) from the local or State tribunal to a Federal tribunal, thus giving the defendant an opportunity of presenting his case to a court and a jury not infected by the local prejudices of the place where the act was committed.

"I must confess that I see no ground or reason whatever for drawing the distinction that is drawn by this amendment of the Senator from Vermont. I see no reason why it should not be applied as well in loyal States in the case of acts by military officers or soldiers as to the same acts when performed in rebel States



or in any State under martial law. The reason is the same in both cases, the great object being the protection of the soldier or the officer in the discharge of his duty, and that is a duty which I hold devolves upon Congress. A soldier or an officer who is a subordinate must not omit to obey the order. If he refuses to do so it is always at the peril of his life or of imprisonment; and to expose a person thus situated to the consequences which might flow from a suit or prosecution in a community where there were strong prejudices against him is something I imagine which we ought not to do. The bill is nothing, in my judgment, but simple, naked justice, applicable to one case as well as to another, and to one locality as well as another."

The amendment moved by Mr. Edmunds was rejected by the following vote:

YEAS—Messrs. Buckalew, Cowan, Doolittle, Edmunds, Guthrie, Hendricks, Johnson, McDougall, Nesmith, and Saulsbury—10.

NAYS—Messrs. Anthony, Chandler, Clark, Conness, Cragin, Creswell, Foster, Grimes, Henderson, Howard, Howe, Kirkwood, Lane of Indiana, Lane of Kansas, Morgan, Nye, Pomeroy, Ramsey, Sherman, Sprague, Stewart, Sumner, Trumbull, Van Winkle, Wade, Willey, Williams, Wilson, and Yates—29.

ABSENT—Messrs. Brown, Davis, Dixon, Fessenden, Harris, Morrill, Norton, Poland, Riddle, and Wright—10.

Mr. Saulsbury, of Delaware, moved to strike out the fourth section imposing damages on State officers on proceeding with a suit after notice of removal. He said: "Now, Mr. President, I am very free to say that if I were a judge in any State I should not feel myself bound to pay any attention whatever to this act; because I do not believe the Congress of the United States has the constitutional authority to pass the act. Suppose a judge of a State court should honestly be of that opinion, and suppose some Secretary of War, or the agent of some Secretary of War, or some Secretary of State, or the agent of some Secretary of State, has caused a citizen within the limits of one of the States to be arrested, and application is made to the State courts for redress, and the State courts believe they have the constitutional authority to afford that redress, notwithstanding the provisions of this act, and shall honestly so decide, your act proposes to punish them in damages for the exercise of an honest judicial opinion. I will not discuss the question, however, Mr. President, but I make the motion to strike out the fourth section of the bill."

Mr. Clark: "I hardly think it is worth while that I should spend much time in answering the Senator from Delaware, and I would not say a word now if this had not been the second time when he uttered words like those which he has now uttered in defiance of the authority of the United States. When the Civil Rights bill was upon its passage, when the Senate was about to vote on it, the Senator from Delaware, in the spirit that he now shows in the Senate, and in the hearing of the people

who were here, stood up in the Senate and defied almost the authority of the United States, and said that if he were a judge, or a person acting in that capacity, in the State of Delaware, he would not obey the law. He repeats that same thing to-day. Sir, if it be so that the rebel spirit which defies the nation, in the person of judges and others, has crept into the Senate, and shows itself here, the more the necessity of the bill which we propose to pass. 'I will not yield to that authority'—so said the rebel, and that produced the war; and now, when the war is over, the Senator from Delaware stands up and repeats that he will not yield to the authority of the United States. It is time this should be done with. It is time that the Senator should understand that the authority of the United States will be supreme, whether it takes a Senator or the merest rebel soldier. This Government must be obeyed, and it is not worth having if it cannot cause itself to be obeyed. This proceeding, if attempted to be carried on in a State court, in defiance of the United States authority, should be void, and the judge and everybody else who undertakes to set himself up in this way—for it will not be an honest authority—should be punished for so doing. We have had about enough of this State authority to teach it to yield respect and obedience to the laws of the United States."

Mr. Hendricks: "I was not able to see that the reply of the Senator from New Hampshire met the point made by the Senator from Delaware. This bill addresses itself to each one of us as lawyers. It proposes to confer upon the courts of the United States jurisdiction, and to control the proceedings of the State courts in certain causes; and I was not able to see the impropriety on the part of a Senator in saying that if he were a judge in a State court he should disregard the provisions of a law which he thought to be unconstitutional. Sir, it is not clear that this proposed transfer of causes from the State courts to the Federal courts was contemplated by the Constitution; and when a similar provision found its way in what is called the Civil Rights bill I had the same opinion upon it. Causes such as are not described at all in the provisions of the Constitution, which defines the jurisdiction of the Federal courts, are to be transferred from the State courts to the Federal courts, merely because Congress so provides. I have my doubts whether it can properly be done. When a case is pending in a State court, and an application is made to transfer that cause to the United States court, if the judge in the State court shall be of opinion that under the Constitution of the United States that cause ought not to be transferred, I submit to the judgment of the Senator from New Hampshire, what is the clear duty of the State judge? Ought he to send the cause from his court into a Federal court, contrary to the laws and Constitution of the country? What jurisdiction shall be possessed by the Federal courts is defined in the Constitution of the Uni-



ted States; and I am of opinion that that definition of jurisdiction does not include the cases provided for in this bill.

"But, sir, suppose it be proper to transfer these causes from the State to the Federal courts, ought the third and fourth sections of this bill to be as they are? We are all familiar with the act which authorizes the transfer of certain causes from the State to the Federal court. Where a citizen of one State brings a suit against a citizen of another State, in a State court, the act of Congress authorizes the transfer of that cause to the Federal court, upon the application of the defendant; and why? Because the Constitution of the United States provides that litigation between citizens of different States may be heard in the Federal court, which is supposed to be disinterested in judgment and feeling between the parties. But in that act we do not find such extraordinary provisions as are in this bill. In that case the defendant, upon the first day of the term, must come into the State court and make his application for the transfer before he does any act which recognizes the jurisdiction of the State court, and he must give his bond that upon the first day of the next term of the Federal court he will file the papers in the cause in the Federal court, and enter his appearance. That is required of the defendant in a cause where it is clearly proper, within the provisions of the Constitution, to take the case from the State to the Federal court.

"Here, however, in a case, to say the least of it, where it is doubtful whether the transfer can be authorized by Congress, it is provided that that transfer may be asked by the defendant, after he has entered an appearance in a State court, after he has recognized, by his appearance and pleadings, the jurisdiction of the State court. And, sir, there is very strange language here, which may be construed authorizing the transfer after a judgment has been rendered in the State court. I call the attention of the Senator from New Hampshire to the language found in the third section, commencing in the eighth line, and I ask him to explain to the Senate the meaning of this language:

But nothing herein contained shall be held to abridge the right of such removal after final judgment in the State court; nor shall it be necessary, in the State court, to offer or give surety for the filing of copies in the Circuit Court of the United States.

"Nothing herein contained shall be construed to abridge the right to take the case from the State to the Federal court after judgment rendered. After the defendant has recognized the jurisdiction of the local court, after he has pleaded in that court, after he has submitted to trial by a jury, and after upon the verdict a judgment has been rendered, I want to know of the Senator whether he contemplates that there should be a transfer, and that the judgment of the State court shall be vacated and a new trial had in the United States court.

"But, sir, in the existing law which authorizes the transfer of causes to the Federal from the State courts in cases that are clearly within the provisions of the Constitution, is there any provision that if the judge shall be of opinion that the case ought not to be transferred, he shall be liable to punishment, he shall be liable to suit and damages? No, sir. Congress, in the enactment upon that subject, has assumed that the State judge will do his duty. But here, almost for the first time, and I believe for the first time unless a provision like this is found in what is called the Civil Rights bill, it is provided that if the judge shall deny the transfer, upon the exercise of his judgment, for what Congress may hold to be an error of judgment, he shall be liable to a civil suit and to damages. Are Senators willing to say that the State judges are to be punished by suits and damages for an error of judgment.

"Mr. President, these are very extraordinary provisions, and I am not at all surprised that the Senator from Delaware should express himself upon them very earnestly. The language which he used I did not observe at the time; but I am very free to say to the Senate that if I were a State judge, and I thought the provision of this law was unconstitutional, I certainly should regard the Constitution as a higher law than the act of Congress which, in my judgment, if it should be my judgment, was contrary to the provisions of the Constitution. It presents the question to a judge whether a case can be transferred to the Federal court; and shall he not decide it? If I bring a suit in a State court against a man who has done me a grievous wrong during these four or five years, a wrong perhaps accompanied with violence and malice, and the cause is set down for trial upon an appearance and plea by the defendant, and he then asks a transfer of the cause to the Federal court, and the judge shall say that the case must be heard before him and before a jury in that court, shall that judge, because of the exercise of a sound and honest judgment, be punished by suit and damages? I ask the Senator from New Hampshire if he has known of any cases in which the State courts have refused under existing laws to allow a transfer where a proper case was made for a transfer. I have heard of none."

Mr. Wilson: "There are a great many cases of that kind. I understand the Legislature of Kentucky has passed a law forbidding the judges of that State to allow these transfers. I understand further that there are over three thousand of these cases in that State. One officer of the Government has thirty-five cases against him. One of the judges of that State, Mr. Andrews, formerly a member of the House of Representatives, would not allow the order of the Government to the officer to be considered as any defence; he said it was no defence; and in the course of ten days afterward he discharged a rebel on the ground that his



order from the rebel service was a complete defence."

Mr. Hendricks: "I am not familiar with the case referred to by the Senator from Massachusetts. If the judge to whom he refers showed partiality, or that he was governed by corrupt motives, I certainly have no apology or defence to make for him. But I had not heard of any refusals by State judges to allow transfers of causes where the cases were properly presented. I know that in the State of Indiana, as far as my practice has extended, there has been no occasion to complain. If a judge has acted in Kentucky as the Senator from Massachusetts understands, then the remedy against him is by impeachment, not by a general provision that for the exercise of his judgment a judicial officer shall be liable to suit and to penalties."

Mr. Williams, of Oregon, said: "I understand that it has been repeatedly decided by the Supreme Court of the United States, so that the question now is regarded as finally settled, that where, in a State court, a party sued makes a defence under the Constitution, laws, or treaties of the United States, he has a right to have that cause removed at any time during its progress from the State court to a court of the United States, and there have the questions involved adjudicated. I think there can be no question, upon this authority, and upon other decisions of a like nature of the Supreme Court of the United States, as to the constitutionality of this section, because it is manifest that a military officer in the discharge of his duty is acting under the law or the authority of the United States."

Mr. Cowan, of Pennsylvania, followed, saying: "Mr. President, it might be well to inquire from whence sprang all this brood of transferring cases from the State courts to the United States courts. How did it happen that there ever was a precedent for that thing? I will try and explain that. Among other powers delegated to the United States was the power of levying taxes, imposts, duties, and so on, or in other words, to enforce a revenue system. In early times in this country there was no act of Congress taking cognizance of that revenue system and providing for the decision of cases under it; and hence, perhaps, thirty-five or thirty-six years ago, about 1830, an act of Congress was passed which provided that whenever a revenue officer in the execution of his duty collecting the revenue shall be involved in lawsuits with anybody about that subject, those cases should be transferred to the courts of the United States in order that he might be tried there, because the cases arose not under State laws, but under the laws of the United States. That was right and proper. Where the officer was acting under the laws of the United States, where he was executing the laws of the United States, and where the whole subject-matter was within the jurisdiction of the United States, it was eminently proper that the cause should be carried into the United States courts; but that is a

very different thing from the application we have made of that rule here, and a very different thing from the later precedent which we have followed. This is not that case. This is a case where *prima facie* the State courts have not only clear, unquestionable jurisdiction, jurisdiction never before perhaps doubted, but where the United States, by the very terms of the instrument under which we govern the Union, have no such power. Take the Constitution and the judiciary act and read them. Let any man read them and see where he can find the authority there. The nearest he can possibly come to it is that these may be said to be cases arising under the laws of the United States. I am perfectly free to say that an argument may be made there; but I am also perfectly free to say, and I am perfectly sure in saying, that the man who decides that question one way or the other is not on account of that decision to be taken as a criminal or to be mulcted in damages because of any mistake he may make.

"As my honorable friend from California (Mr. McDougall) very often says, the old fathers were wiser than we are. What did they do? They provided that whenever a defendant in any court sets up a justification under the laws of the United States or under the Constitution of the United States, and the State court refused that defence, decided against it, decided against the constitutionality of the law under which he set it up, in such case he should have a writ of error to the Supreme Court of the United States. What could be plainer and wiser? If it be true that under the laws of the United States these officers are justifiable in any particular case, where is the objection to their making that defence in the State court, and, if it is not allowed, give them the right to appeal to the Supreme Court of the United States. What can be plainer than that?"

Mr. Howard, of Michigan, in support of the bill, said: "Mr. President, a very strenuous opposition is made to the fourth section of the bill. The honorable Senator from Delaware has moved to strike it out. Another Senator has moved an amendment to that amendment, to strike out the word 'judges' in the seventh line, so as to exempt the judges of the State courts from the damages which are contemplated in the section. I am opposed to both these amendments, and in favor of the passage of the bill with the fourth section in it, because I think that section contains a sound principle, and that without it there may be many cases in which great injustice may be done to parties who are brought into the State courts on claims of damages by owners of property taken for the purposes of the war. I see no constitutional difficulty whatever in the fourth section. Still I am aware that it comes within that long category of bills which the Senate have passed or endeavored to pass during the late war, which by certain gentlemen in this chamber have been denounced as flagrantly unconstitutional. Indeed, the honorable Senator from Delaware has



gone so far as to say to us that if he were a judge sitting for the purpose of administering justice between man and man in his own State, and this statute, if it should become a statute, should be presented to him, and should be insisted upon by way of defence, he would feel bound to hold it unconstitutional and void, and that he would proceed, notwithstanding this Federal statute, to pass a final judgment in the case which might be before him, and to enforce it.

"It is not necessary for me to say that it is the duty of a judge, whether he occupy a high or an inferior position, as such to decide every question of law that may fairly be presented to his consideration. I am not aware that the law exempts any class of judges of courts from this high and solemn duty. Still, it does seem to me that if I were a State judge, and this question were presented to me in the form which he has suggested, certainly if a doubt hung over the question at all, I should feel it my duty to decide in favor of the validity of the statute, leaving the question finally to be determined by the court of *dernier ressort*, the Supreme Court of the United States, and such, I think, would be felt to be the duty of almost every well-informed State tribunal.

"But, sir, is there any thing in this statute which is in conflict with the Constitution? And does the judicial power of the United States as delegated in the Constitution itself cover the cases which are contemplated by the section? That is the first and principal point for us to determine. If there be a delegation of power in the Constitution covering these cases, the question of its constitutionality cannot be raised upon that issue. The Constitution declares that 'the judicial power shall extend to all cases in law and equity arising under this Constitution, the laws of the United States,' etc. Are the cases contemplated by section four cases arising under any law of the United States? What are they, and what is their character?

"I am speaking of regular acts of war performed by inferiors in obedience to the orders of their superiors. I am not speaking of wilful and wanton trespasses committed by soldiers or officers without warrant and without order, because the bill contemplates no such cases, affords protection in no such cases. I am speaking of acts done under regular orders. Do those acts present cases coming under any law of the United States? That involves the question whether the war itself existed in pursuance of any law of the United States. If the war itself was waged in pursuance of law, if the Congress of the United States, in providing for its prosecution, did not transcend the Constitution itself, all these acts of war were committed under a law of the United States; and the acts themselves, taken in connection with the party plaintiff and the party defendant in the State court, constitute a case at law. A case at law must have parties; there must be a fact connected with it, there must be an allegation on one side by one party against the other in re-

spect to which the plaintiff asks for relief or asks for judgment. That I understand to be in very brief terms a definition of a case at law.

"The judicial power of the United States extends to just such cases; that is to say, it reaches them, it covers them. The judicial power of the United States may, if Congress so choose, take these cases and deal with them in any way it sees fit. If the case exists in a State court, being covered by and subject to the judicial power of the United States under the Constitution, it is competent undoubtedly for Congress to provide for the prosecution, trial, and decision of these cases in their own way. That, in brief, is all that is contemplated in this statute. But, sir, if according to the doctrine of some, if according to the teachings of a class of doctors who have been too numerous and whose teachings have been too fatal in this country, it is not competent for the Congress of the United States to wage war, as they say, against a State; if the acts of the United States in the prosecution of this war were according to the doctrines of those teachers, all void and of no effect; if a State ordinance of secession is to be the paramount law of the land, the Constitution of the United States to the contrary notwithstanding, then, sir, I agree that all these cases are not cases arising under any law of the United States, and therefore they cannot be removed from a State court in which they may happen to be brought. But, sir, I do not belong to that school of politics. I reject the whole theory of Mr. Calhoun and all his followers from beginning to end upon the question of the right of a State to secede, or the right of the Government of the United States to wage war for the purpose of putting down a rebellion or an insurrection. I hold all our acts to be perfectly valid, and as valid as they were necessary."

The amendment of Mr. Saulsbury was rejected, and after some verbal changes the bill was passed, as follows:

YEAS—Messrs. Anthony, Chandler, Clark, Conness, Cragin, Doolittle, Edmunds, Foster, Henderson, Howard, Howe, Johnson, Kirkwood, Lane of Indiana, Morgan, Norton, Nye, Poland, Pomeroy, Ramsey, Sprague, Stewart, Sumner, Trumbull, Van Winkle, Wade, Willey, Williams, Wilson, and Yates—30.

NAYS—Messrs. Buckalew, Guthrie, Hendricks, and Saulsbury—4.

ABSENT—Messrs. Brown, Cowan, Creswell, Davis, Dixon, Fessenden, Grimes, Harris, Lane of Kansas, McDougall, Morrill, Nesmith, Riddle, Sherman, and Wright—15.

The amendments of the Senate were not approved by the House, and committees of conference were appointed, and the bill was passed, after an unimportant modification of the sixth amendment of the Senate.

Subsequently in the session an amendment to this amendment was passed, which provided means for the removal of the person of the defendant, whose cause had been removed from a State court.



In the House, on December 12th, Mr. Raymond, of New York, presented the credentials of persons elected in Tennessee to seats in the House, that they might come before the House.

Mr. Stevens, of Pennsylvania, said: "I rise to a question of order. I do not mean to oppose the main object of the gentleman from New York (Mr. Raymond). But I hold that this is not a question of privilege. The State of Tennessee is not known to this House nor to Congress. If the gentleman will put his proposition in another shape, and not present it as a question of privilege, I will not object to it. But if he presents it as a question of privilege, I make the point of order that it is not such a question."

The point of order was overruled by the Speaker. Mr. Raymond followed, saying, that his object was merely to get the papers in a position to be acted upon. The disposition which should be made of the papers was a matter of indifference to him. He moved their reference to the joint Committee of Fifteen, when appointed, which was approved.

On July 19th, in the House it was resolved, by a vote of yeas 70, nays 27, to reconsider the vote by which a joint resolution relative to Tennessee had been recommitted to the Committee on Reconstruction.

Mr. Bingham, of Ohio, then withdrew the motion to recommit, and offered the following substitute:

Joint resolution declaring Tennessee again entitled to Senators and Representatives in Congress.

*Whereas*, the State of Tennessee has in good faith ratified the article of amendment to the Constitution of the United States, proposed by the Thirty-ninth Congress to the Legislatures of the several States, and has also shown to the satisfaction of Congress, by a proper spirit of obedience in the body of her people, her return to her due allegiance to the Government, laws, and authority of the United States: Therefore,

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled*, That the State of Tennessee is hereby restored to her former proper, practical relations to the Union, and is again entitled to be represented by Senators and Representatives in Congress, duly elected and qualified, upon their taking the oaths of office required by existing laws.

Mr. Boutwell, of Massachusetts, in opposition to the resolution, said: "I will state briefly the reasons why I shall vote against this proposition. I have two prominent reasons against it. I would have yielded somewhat of one of them, provided I had seen a single shadow of hope coming from the State of Tennessee itself. I find, on the examination of the constitution of Tennessee, that the voting power is confined exclusively to the white population. If Tennessee would have even yielded to allow the colored men who had been soldiers to vote; or if they had even initiated a policy which might have grown to fulness hereafter, I might have consented to the proposition. Since the proposition that is now before the House assumes to dictate terms to the State of Tennessee, and of

right assumes it, we also have the power to insist that that State shall recognize the great principle of which I have spoken.

"My second objection to this proposition is that the amendment of the Constitution submitted by Congress to the Legislatures of the several States, although ratified by the Legislature of the State of Tennessee, has not become a portion of the Constitution of the United States. And since it has not become a part of the Constitution, then the restrictions that are contained within it have no application upon that State whatever. And Tennessee, if admitted at this session of Congress, will be admitted with the same number of Representatives that the State had when the rebellion commenced. We will thus find the representation of the several States very unequal, and it seems to me that the people of the free North will express not only dissatisfaction but indignation at such a proposition. I think there certainly should have been a restriction here, to the effect that before the proposed amendment becomes a part of the Constitution of the United States, Tennessee shall not be entitled to any more representation than she would be were the amendment in full operation and effect. I have briefly stated the two principal objections with me to the adoption of this resolution, and will not occupy more time of the House."

Mr. Bingham, of Ohio, said, in reply: "Mr. Speaker, Tennessee to-day is as republican as Massachusetts on the principle that the majority of the law-abiding citizens of a State who have not forfeited their privileges by treason have the right to control its political power. That is the primal principle of American institutions, and that is the principle which the gentleman from Massachusetts comes here to-day to repudiate.

"The restoration of the State of Tennessee, in the mode proposed, to her proper relations in the Union is no surrender of that principle, unless you set up here the right of the rebels lately in arms to govern the loyal people, the rebels whom you undertake to disfranchise by the constitutional amendment, and which amendment I trust in God the American people will ratify and thereby disfranchise those who compassed the nation's life and filled the land with the graves of the nation's defenders. If the rebels are to be excluded from political power, then, sir, the men who speak this day from Tennessee are the majority, overwhelmingly the majority of its free population, black and white included.

"But, says the gentleman, they exclude from the elective franchise loyal black men who bore arms for the defence of the Republic. I admit it. So does Ohio, so does Pennsylvania, and so, also, do a majority of the States of the Union. Is that any reason, sir, that Tennessee should be denied representation in this House? It would be better if justice, equal and exact justice, were established in every State."



The resolution was finally passed by the following vote:

YEAS—Messrs. Allison, Ames, Ancona, Anderson, Delos R. Ashley, James M. Ashley, Baker, Banks, Baxter, Bidwell, Bingham, Boyer, Bromwell, Buckland, Bundy, Reader W. Clark, Sidney Clarke, Cobb, Conkling, Davis, Dawes, Dawson, Defrees, Delano, Deming, Donnelly, Driggs, Eckley, Eggleston, Eldridge, Farnsworth, Farquhar, Ferry, Finck, Garfield, Glossbrenner, Aaron Harding, Abner C. Harding, Hart, Hogan, Holmes, Hooper, Hotchkiss, Asahel W. Hubbard, Chester D. Hubbard, John H. Hubbard, James R. Hubbell, Hulburd, Humphrey, Ingersoll, Johnson, Kasson, Kerr, Ketcham, Koontz, Kuykendall, Laffin, Latham, George V. Lawrence, William Lawrence, Lynch, Marston, McCullough, McRuer, Mercur, Miller, Moorhead, Morrill, Morris, Moulton, Myers, Newell, Niblack, Nicholson, Noel, O'Neill, Orth, Perham, Phelps, Pike, Plants, Price, Radford, Samuel J. Randall, William H. Randall, Raymond, Alexander H. Rice, John H. Rice, Ritter, Rogers, Rollins, Ross, Rousseau, Sawyer, Schenck, Schofield, Shellabarger, Sitgreaves, Spalding, Stevens, Strouse, Tabor, Taylor, Thayer, Francis Thomas, John L. Thomas, Thornton, Trimble, Trowbridge, Van Aernam, Burt Van Horn, Robert T. Van Horn, Ward, Warner, Henry D. Washburn, William B. Washburn, Welker, Wentworth, Whaley, James F. Wilson, Stephen F. Wilson, Windom, Woodbridge, Wright, and the Speaker—125.

NAYS—Messrs. Alley, Benjamin, Boutwell, Eliot, Higby, Jenckes, Julian, Kelley, Loan, McClurg, Paine, and Williams—12.

NOT VOTING—Messrs. Baldwin, Barker, Beaman, Bergen, Blaine, Blow, Brandagee, Broomall, Chanler, Cook, Cullom, Culver, Darling, Denison, Dixon, Dodge, Dumont, Goodyear, Grider, Grinnell, Griswold, Hale, Harris, Hayes, Henderson, Hill, Demas Hubbard, Edwin N. Hubbell, Jones, Kelso, Le Blond, Longyear, Marshall, Marvin, McIndoe, McKee, Patterson, Pomeroy, Shanklin, Sloan, Smith, Starr, Stillwell, Upson, Elihu B. Washburne, and Winfield—46.

In the Senate, on July 21st, Mr. Trumbull, from the Judiciary Committee, reported back the joint resolution of the House relative to Tennessee, with an amendment. These amendments, with others, were fully discussed, and the Senate finally modified the resolution, as follows:

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the State of Tennessee is hereby restored to her former proper, practical relations to the Union, and is again entitled to be represented by Senators and Representatives in Congress.

The next amendment of the Senate was to strike out the preamble of the House and insert in lieu thereof the following:

*Whereas*, in the year 1861, the government of the State of Tennessee was seized upon and taken possession of by persons in hostility to the United States, and the inhabitants of said State in pursuance of an act of Congress were declared to be in a state of insurrection against the United States; and whereas said State government can only be restored to its former political relations in the Union by the consent of the law-making power of the United States; and whereas the people of said State did, on the 22d day of February, 1865, by a large popular vote, adopt and ratify a constitution of government whereby slavery was abolished, and ordinances and laws of secession and debts contracted under the same were declared void; and whereas a State government has been organized under said constitution, which has ratified the amendment to the Constitution of the

United States abolishing slavery; also the amendment proposed by the Thirty-ninth Congress, and has done other acts proclaiming and denoting loyalty: Therefore,

The vote in the Senate on the passage of the joint resolution, as thus amended, was as follows:

YEAS—Messrs. Anthony, Chandler, Clark, Conness, Cowan, Creswell, Doolittle, Edmunds, Foster, Hendricks, Howard, Howe, Lane, Morgan, Morrill, Nesmith, Nye, Poland, Pomeroy, Sprague, Stewart, Trumbull, Van Winkle, Wade, Willey, Williams, Wilson, and Yates—28.

NAYS—Messrs. Brown, Buckalew, McDougall, and Sumner—4.

ABSENT—Messrs. Cragin, Davis, Dixon, Fessenden, Grimes, Guthrie, Harris, Henderson, Johnson, Kirkwood, Norton, Ramsey, Riddle, Saulsbury, Sherman, and Wright—16.

These amendments of the Senate were agreed to in the House by the following vote:

YEAS—Messrs. Allison, Ames, Anderson, Delos R. Ashley, Baker, Banks, Barker, Baxter, Benjamin, Bidwell, Bingham, Boutwell, Bromwell, Broomall, Buckland, Sidney Clarke, Conkling, Defrees, Dixon, Donnelly, Driggs, Eckley, Eggleston, Eliot, Farnsworth, Farquhar, Ferry, Garfield, Abner C. Harding, Hart, Hayes, Higby, Holmes, Hooper, Hotchkiss, Asahel W. Hubbard, Chester D. Hubbard, John H. Hubbard, James R. Hubbell, Hulburd, Ingersoll, Julian, Kelley, Ketcham, Koontz, Kuykendall, Laffin, George V. Lawrence, William Lawrence, Loan, Lynch, Marston, McClurg, McRuer, Mercur, Miller, Moorhead, Morrill, Morris, Moulton, Myers, Newell, O'Neill, Orth, Paine, Perham, Plants, Price, William H. Randall, Alexander H. Rice, John H. Rice, Rollins, Sawyer, Schenck, Schofield, Shellabarger, Spalding, Stevens, John L. Thomas, Trowbridge, Van Aernam, Burt Van Horn, Robert T. Van Horn, Ward, Welker, Wentworth, Whaley, Williams, James F. Wilson, Stephen F. Wilson, Windom, and Woodbridge—93.

NAYS—Messrs. Ancona, Bergen, Boyer, Dawson, Eldridge, Finck, Glossbrenner, Aaron Harding, Jenckes, Johnson, Latham, Le Blond, Marshall, Niblack, Nicholson, Radford, Samuel J. Randall, Raymond, Ritter, Ross, Shanklin, Strouse, Tabor, Taylor, Thornton, and Trimble—26.

NOT VOTING—Messrs. Alley, James M. Ashley, Baldwin, Beaman, Blaine, Blow, Brandagee, Bundy, Chanler, Reader W. Clark, Cobb, Cook, Cullom, Culver, Darling, Davis, Dawes, Delano, Deming, Denison, Dodge, Dumont, Goodyear, Grider, Grinnell, Griswold, Hale, Harris, Henderson, Hill, Hogan, Demas Hubbard, Edwin N. Hubbell, Humphrey, Jones, Kasson, Kelso, Kerr, Longyear, Marvin, McCullough, McIndoe, McKee, Noel, Patterson, Phelps, Pike, Pomeroy, Rogers, Sitgreaves, Sloan, Smith, Starr, Stillwell, Thayer, Francis Thomas, Upson, Warner, Elihu B. Washburne, Henry D. Washburn, William B. Washburn, Winfield, and Wright—62.

The President, on July 24th, approved the resolution, and sent the following message to the House:

*To the House of Representatives:*

The following "joint resolution, restoring Tennessee to her relations in the Union," was last evening presented for my approval:

*"Whereas*, in the year 1861, the government of the State of Tennessee was seized upon and taken possession of by persons in hostility to the United States, and the inhabitants of said State, in pursuance of an act of Congress, were declared to be in a state of insurrection against the United States; and whereas said State government can only be restored to its former political relations in the Union by the consent of the law-making power of the United States; and



whereas the people of said State did, on the 22d day of February, 1865, by a large popular vote, adopt and ratify a constitution of government whereby slavery was abolished, and all ordinances and laws of secession, and debts contracted under the same, were declared void; and whereas a State government has been organized under said constitution, which has ratified the amendment to the Constitution of the United States abolishing slavery; also the amendment proposed by the Thirty-ninth Congress, and has done other acts proclaiming and denoting loyalty: Therefore,

*"Be it resolved by the Senate and House of Representatives of the United States in Congress assembled, That the State of Tennessee is hereby restored to her former proper, practical relations to the Union, and is again entitled to be represented by Senators and Representatives in Congress."*

The preamble simply consists of statements, some of which are assumed, while the resolution is merely a declaration of opinion. It comprises no legislation, nor does it confer any power which is binding upon the respective Houses, the Executive, or the States. It does not admit to their seats in Congress the Senators and Representatives from the State of Tennessee; for, notwithstanding the passage of the resolution, each House, in the exercise of the constitutional right to judge for itself of the elections, returns, and qualifications of its members, may, at its discretion, admit them or continue to exclude them. If a joint resolution of this kind were necessary and binding as a condition-precedent to the admission of members of Congress, it would happen, in the event of a veto by the Executive, that Senators and Representatives could only be admitted to the halls of legislation by a two-thirds vote of each of the two Houses.

Among other reasons recited in the preamble for the declarations contained in the resolution, is the ratification, by the State government of Tennessee, of "the amendment to the Constitution of the United States abolishing slavery, and also the amendment proposed by the Thirty-ninth Congress." If, as is also declared in the preamble, "said State government can only be restored to its former political relations in the Union by the consent of the law-making power of the United States," it would really seem to follow that the joint resolution which at this late day has received the sanction of Congress, should have been passed, approved, and placed on the statute-books before any amendment to the Constitution was submitted to the Legislature of Tennessee for ratification. Otherwise the inference is plainly deducible that while, in the opinion of Congress, the people of a State may be too strongly disloyal to be entitled to representation, they may nevertheless, during the suspension of their "former proper, practical relations to the Union," have an equally potent voice with other and loyal States in propositions to amend the Constitution, upon which so essentially depend the stability, prosperity, and very existence of the nation.

A brief reference to my annual message of the 4th of December last will show the steps taken by the Executive for the restoration to their constitutional relations to the Union of the States that had been affected by the rebellion. Upon the cessation of active hostilities, provisional governors were appointed, conventions called, governors elected by the people, Legislatures assembled, and Senators and Representatives chosen to the Congress of the United States. At the same time the courts of the United States were reopened, the blockade removed, the custom-houses reestablished, and postal operations resumed. The amendment to the Constitution abolishing slavery forever within the limits of the country was also submitted to the States, and they were thus invited to and did participate in its ratification, thus exercising the highest functions pertaining to a State. In addition, nearly all of these States, through their conventions and Legislatures, had adopted and ratified constitutions "of government whereby slavery was abolished and all ordinances and laws of secession and debts and contracts under the same were declared void." So far, then, the political existence of the States and their rela-

tions to the Federal Government had been fully and completely recognized and acknowledged by the executive department of the Government; and the completion of the work of restoration, which had progressed so favorably, was submitted to Congress, upon which devolved all questions pertaining to the admission to their seats of the Senators and Representatives chosen from the States whose people had engaged in the rebellion.

All these steps had been taken, when, on the 4th day of December, 1865, the Thirty-ninth Congress assembled. Nearly eight months have elapsed since that time; and no other plan of restoration having been proposed by Congress for the measures instituted by the Executive, it is now declared, in the joint resolution submitted for my approval, "that the State of Tennessee is hereby restored to her former proper, practical relations to the Union, and is again entitled to be represented by Senators and Representatives in Congress." Thus, after the lapse of nearly eight months, Congress proposes to pave the way to the admission to representation of one of the eleven States whose people arrayed themselves in rebellion against the constitutional authority of the Federal Government.

Earnestly desiring to remove every cause of further delay, whether real or imaginary, on the part of Congress to the admission to seats of loyal Senators and Representatives from the State of Tennessee, I have, notwithstanding the anomalous character of this proceeding, affixed my signature to the resolution. My approval, however, is not to be construed as an acknowledgment of the right of Congress to pass laws preliminary to the admission of duly qualified representatives from any of the States. Neither is it to be considered as committing me to all the statements made in the preamble, some of which are, in my opinion, without foundation in fact, especially the assertion that the State of Tennessee has ratified the amendment to the Constitution of the United States proposed by the Thirty-ninth Congress. No official notice of such ratification has been received by the Executive or filed in the Department of State; on the contrary, unofficial information from most reliable sources induces the belief that the amendment has not yet been constitutionally sanctioned by the Legislature of Tennessee. The right of each House, under the Constitution, to judge of the elections, returns, and qualifications of its own members is undoubted, and my approval or disapproval of the resolution could not in the slightest degree increase or diminish the authority in this respect conferred upon the two branches of Congress.

In conclusion, I cannot too earnestly repeat my recommendation for the admission of Tennessee, and all other States, to a fair and equal participation in national legislation when they present themselves in the persons of loyal Senators and Representatives, who can comply with all the requirements of the Constitution and the laws. By this means harmony and reconciliation will be effected, the practical relations of all the States to the Federal Government reestablished, and the work of restoration, inaugurated upon the termination of the war, successfully completed.

ANDREW JOHNSON.

WASHINGTON, D. C., July 24, 1866.

The credentials of the Representatives from Tennessee were then withdrawn from the Reconstruction Committee by the House and referred to the Committee on Elections, who reported the same to be in conformity to law, and the gentlemen were sworn in.

In the Senate, on March 22d, Mr. Trumbull, of Illinois, from the Committee on the Judiciary, made a report on the protest of several



members of the New Jersey Legislature against the admission of Mr. Stockton to a seat.

The Committee on the Judiciary, to whom were referred the credentials of John P. Stockton, claiming to have been elected a Senator from the State of New Jersey for six years from the 4th day of March, 1865, together with the protest of certain members of the Legislature of said State against the validity of his election, submit the following report:

The only question involved in the decision of Mr. Stockton's right to a seat is whether an election, by a plurality of votes of the members of the Legislature of New Jersey, in joint meeting assembled, in pursuance of a rule adopted by the joint meeting itself, is valid. The protestants insist that it is not, and they deny Mr. Stockton's right to a seat, because, as they say, he was not appointed by a majority of the votes of the joint meeting of the Legislature.

The legislative power of the State of New Jersey is vested by the State constitution in a Senate and General Assembly, which are required, for legislative purposes, to meet separately; but which, for the appointment of various officers, are required to assemble in joint meeting, and when so assembled are, by the constitution itself, styled the "Legislature in joint meeting."

The constitution of New Jersey does not prescribe the manner of choosing United States Senators, as, indeed, it could not, the Constitution of the United States having vested that power, in the absence of any law of Congress, exclusively in the Legislature; but it does constitute the two Houses one body for the purpose of appointing certain State officers. The statute of New Jersey declares that "United States Senators on the part of the State shall be appointed by the Senate and General Assembly in joint meeting assembled;" but it does not prescribe any rules for the government of the joint meeting, nor declare the manner of election.

The practice in New Jersey has been for the joint meeting to prescribe the rules for its own government.

In 1794 fifteen rules were adopted, the first two of which are as follows:

1. That the election of State officers during the present session be *viva voce*, unless when otherwise ordered; and that all officers be put in nomination at least one day before their election.
2. That the chairman shall not be entitled to vote except in case of a tie, and then to have a casting vote.

The other thirteen rules related chiefly to the method of conducting the proceedings. Each joint meeting which has since assembled has adopted its own rules, usually those of the preceding joint meeting, sometimes, however, with additions or exceptions.

In 1851 the following additional rule was adopted:

*Resolved*, That no person shall be elected to any office, at any joint meeting during the present session, unless there be a majority of all the members elected personally present, and agreeing thereto.

In 1855 the joint meeting, after adopting the fifteen rules of the preceding joint meeting, added the following:

That all candidates for office, upon receiving a majority of the votes cast by this joint meeting, shall be declared duly elected.

The joint meeting of 1861 adopted the rules of the preceding joint meeting for its own government, among which were the following:

1. That the election of State officers during the present session be *viva voce*, unless when otherwise ordered.
15. That in all questions the chairman of the joint meeting be called upon to vote in his turn, as one of the representatives in the Senate or Assembly, but that he have no casting vote as chairman.
16. That all candidates for office, upon receiving a majority of the votes cast by this joint meeting, shall be declared to be duly elected.

The same rules were adopted by each joint meeting from 1861 to 1865.

The joint meeting which assembled February 15, 1865, and at an adjourned session of which Mr. Stockton was appointed Senator, adopted, at its first meeting, the rules of the preceding joint meeting, except the sixteenth rule, in lieu of which the following was adopted:

*Resolved*, That no candidate shall be declared elected unless upon receiving a majority of the votes of all the members elected to both Houses of the Legislature.

After having appointed various officers under the rules which had been adopted at the assembling of the joint meeting, the following rule was adopted:

*Resolved*, That the vote for county judges and commissioners of deeds be taken by acclamation, and that the counties in which vacancies exist be called in alphabetical order.

Acting under this rule, quite a number of officers were appointed by acclamation. Not completing its business, the joint meeting adjourned from time to time till March 15th, when the following rule was adopted:

*Resolved*, That the resolution that no candidate shall be declared elected unless upon receiving a majority of the votes of all the members elected to both Houses of the Legislature be rescinded, and that any candidate receiving a plurality of votes of the members present shall be declared duly elected.

Every member of both Houses, eighty-one in all, was present and voting when the above resolution was passed, and it was carried by a vote of 41 in the affirmative, of whom eleven were senators and thirty representatives, to 40 in the negative, of whom ten were senators and thirty representatives. The joint meeting then proceeded to the election of a United States Senator, with the following result:

Hon. John P. Stockton, 40 votes; Hon. J. C. Ten Eyck, 37 votes; J. W. Wall, 1 vote; P. D. Vroom, 1 vote; F. T. Frelinghuysen, 1 vote; H. S. Little, 1 vote.

Whereupon John P. Stockton, having received a plurality of all the votes cast, was declared duly elected. The joint meeting then proceeded to the election of various other officers, having completed which it rose.

The credentials of Mr. Stockton are under the great seal of the State, signed by the Governor and in due form. No objection appears to have been made at the time to the election. Its validity is now called in question by a protest, dated March 20, 1865, and signed by eight senators and thirty members of the General Assembly. The Constitution of the United States declares that the Senate of the United States "shall be composed of two Senators from each State, chosen by the Legislature thereof," and that "the times, places, and manner of holding election for Senators and Representatives shall be prescribed in each State by the Legislature thereof," but Congress may at any time by law make or alter such regulations, except as to the places of choosing Senators.

The right to choose United States Senators in a joint meeting of the two Houses which compose the Legislature of a State has been too long and too frequently exercised to be now brought in question. This has been the manner of election in some States from the beginning, and is now the manner of most of them.

For the purpose of choosing United States Senators the joint meeting of the two Houses is regarded as the Legislature, and especially would this be so in New Jersey, where the joint meeting is by the constitution of the State denominated a Legislature. It has uniformly been held that when the two branches of a Legislature meet in joint convention to elect a United States Senator they are merged into one, and act as one body, so that an election may be effected against the entire vote of the members of one House if the person voted for receive the requisite number of votes from the members of the other. It being,



then, settled that the two Houses of a Legislature in joint meeting assembled constitute the Legislature, vested by the Constitution of the United States with authority, acting as one body, to elect a Senator, the question is, did the joint meeting of the Senate and General Assembly of New Jersey, duly convened, in pursuance of a resolution previously concurred in by each House separately, choose John P. Stockton United States Senator?

That it was competent for a plurality to elect, if a law to that effect had been prescribed by competent authority, will hardly be questioned. This is the rule very generally, if not universally, adopted in the election of members of the House of Representatives, who are "chosen every second year by the people of the several States," and no one questions the validity of the election of a Representative by a plurality vote when the law authorizes a plurality to elect. It is, however, insisted, and truly, that no law of New Jersey authorizes a plurality to elect. The laws of New Jersey are silent on this subject, but they do authorize a joint meeting of the two Houses of the Legislature to appoint a Senator, and it has been the uniform practice of this joint meeting since the foundation of the government to prescribe the rules for its own government. These rules as to the number of votes necessary to effect an election have varied at different times, sometimes requiring a majority of all the members elected to both Houses of the Legislature, sometimes a majority only of those present, and in the case under consideration only a plurality.

Suppose, under the rule first stated, but 79 members had been present in the joint meeting, and 40 had voted for the same person, would he have been elected? And if not, why not? 79 out of 81 would have constituted a quorum, and 40 would have been a majority of those present. The only reason why such a vote would not have made an election would be the existence of the rule adopted by the joint meeting, declaring that "no candidate should be elected unless receiving a majority of the votes of all the members elected to both Houses of the Legislature." While that rule was in force, no presiding officer would have thought of declaring a candidate elected, nor would any candidate have supposed himself elected, because he received a majority of the votes cast, unless such majority was a majority of all the members elected to the Legislature. Under the other rule, "that a person receiving a majority of the votes of those present should be declared elected," who would doubt the validity of an election by 31 out of 60 votes, if only so many had been cast? If the joint meeting had the right to prescribe, at one time, that it should require a majority of all elected to the Legislature to elect, at another time that a majority of those present might elect, and at still another time that elections might be had by acclamation, it had the right to prescribe that a plurality should elect; and when any candidate received a plurality he thereupon became elected, not simply by the will of those who voted for him, but by the will of the joint meeting, which had previously, by a majority vote, resolved that such plurality should elect.

It might be urged in this case, with much plausibility, that inasmuch as the constitution of New Jersey recognizes the two Houses in joint meeting as a Legislature, that such joint meeting was the very body on whom the Constitution of the United States had conferred the power to prescribe "the times, places, and manner of holding elections for Senators;" but your committee prefer placing the authority of the joint meeting to prescribe the plurality rule on the broader ground, that in the absence of any law either of Congress or the State on the subject, a joint meeting of the two Houses of a Legislature, duly assembled and vested with authority to elect a United States Senator, has a right to prescribe that a plurality may elect, on the principle that the adoption of such a rule by a majority vote in the

first instance makes the act subsequently done in pursuance of such majority vote its own.

The committee recommend for adoption the following resolution:

*Resolved*, That John P. Stockton was duly elected, and is entitled to his seat, as a Senator from the State of New Jersey, for the term of six years from the 4th day of March, 1865.

Mr. Clark, of New Hampshire, moved to amend the resolution reported by the committee, by inserting the word "not" before the word "duly," and also before the word "entitled." He said: "I could not bring my mind to the conclusion that the Senator from New Jersey now holding the seat was entitled to it, or that he was duly elected. I differed from the majority of the committee upon this point. Mr. Stockton was elected in a joint convention of the two Houses. After that joint convention had assembled, it undertook to say, in the absence of any law or rule prescribed by competent authority to that effect, that a less number of the convention than a majority, to wit, a plurality, should entitle the person receiving such plurality to an election. There were in that convention eighty-one persons present. Upon casting their votes for Senator, it was found that Mr. Stockton received forty votes, and Mr. Ten Eyck and other persons forty-one; so that Mr. Stockton did not have a majority of the convention; and the question now submitted to the Senate, and the one upon which I think the whole matter must turn, is, whether that joint convention, sitting and acting as it did as a joint assembly, had the power and authority to say that a person not receiving a majority of the votes was entitled to a seat in this Senate.

"I maintain this as my first proposition: that under the Constitution of the United States, the constitution of New Jersey, and the laws of New Jersey, where the constitution and the laws prescribe no different rules, a majority was necessary to constitute a valid election. In the absence of a law prescribed by the Legislature of New Jersey, or some authority, if there was any other authority competent to do it, I say a majority would be required to entitle the Senator holding the seat to remain in it, because it is the law of corporations aggregate, and it is the parliamentary law of the land, that when a deliberate body or assembly like that undertakes to act, it acts by a majority, and only by a majority, unless it has the power to prescribe for itself a different rule, or some other authority having such power has done it. There is no pretence that the Legislature of New Jersey or any other authority but this joint convention so assembled ever undertook to say that a plurality should elect; but the joint convention did. I do not undertake to deny that it was competent for the Legislature of New Jersey, organized and acting in its proper manner and sphere, to say that a plurality might elect. I do not deny that a plurality of a Legislature, when the majority so determine, can elect a Senator. I concede that, but I say that here



nobody having competent authority undertook to prescribe that a plurality should elect."

Mr. Fessenden, of Maine, followed, saying, that the election of Senators came under this clause of the Constitution :

The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six years ; and each Senator shall have one vote.

It will be noticed he said, that Senators are to be chosen by "the Legislature," not by the legislators; not by the members of the Legislature, but by "the Legislature." In his view the Legislature in the election of a United States Senator was merely the agent of the Constitution of the United States, to perform a certain act. It was therefore under the control of no other power. No provision in the constitution of New Jersey providing the mode in which a Senator shall be elected or the course that shall be taken, or the rules of the proceeding, or any thing of that kind would bind in any way the Legislature which is to perform the act. No provision of law of a previous Legislature would in any manner bind the Legislature which is to perform that act. It is independent of every thing except the Constitution of the United States. The constitution of a State cannot bind it. The State constitution prescribes who shall compose the Legislature; but that body, or those bodies thus composing the Legislature of the State, being the agent appointed by the Constitution of the United States to perform an act, is not under the slightest obligation to regard any of the provisions in the State constitution on the subject, because the State constitution has nothing to do with it, or any previous provisions of State law in reference to it. But while it is thus independent and may disregard those provisions, being the mere agent of the Constitution of the United States, still it must necessarily act as a Legislature in the performance of that duty, because, the power is not committed to the Legislature individually or collectively, but committed to "the Legislature" of the State; and therefore, being committed to the Legislature of the State, the Legislature, in carrying out this provision of the Constitution, must act as a Legislature; that is, there must be a legislative act.

The Legislature to elect, is the one in existence when the vacancy occurs, and if it fails, the election goes over to the next.

Mr. Stockton, of New Jersey, followed, saying, that it belonged to the State constitution to define of what the Legislature should consist. This question was raised in New Jersey, before the formation of the constitution of that State in 1846, and the constitution was made to declare the joint meeting also to be the Legislature. An act done by a plurality vote, authorized by a majority, was done by virtue of the majority vote. No one doubted at the time, that his election was legal. The members were bound to that result by every rule both of law and honor. The custom of the joint meeting, pre-

scribing its own rules, has long existed in New Jersey.

Mr. Johnson, of Maryland, in reply to the Senator from Maine (Mr. Fessenden), urged that the Constitution of the United States did not pretend to say how the Legislature of a State should be organized, but left that matter to the Constitution and laws of the State, and gave to no department of the Federal Government the slightest jurisdiction over that matter. By the constitution of New Jersey, the collective body in joint meeting had the power to do what they severally do in their separate bodies by a concurrent vote. After a lengthy debate, the question was taken, and the amendment of Mr. Clark rejected—yeas 19, nays 21.

The question then recurred on the resolution reported by the Judiciary Committee, with the following result :

YEAS—Messrs. Anthony, Buckalew, Cowan, Davis, Foster, Guthrie, Harris, Henderson, Hendricks, Johnson, Lane of Kansas, McDougall, Morgan, Nesmith, Norton, Poland, Riddle, Saulsbury, Stewart, Trumbull, and Willey—21.

NAYS—Messrs. Brown, Chandler, Clark, Conness, Cragin, Creswell, Fessenden, Grimes, Howe, Kirkwood, Lane of Indiana, Nye, Pomeroy, Ramsey, Sherman, Sprague, Sumner, Wade, Wilson, and Yates—20.

Mr. Morrill (to the Secretary): "Call my name."

The Secretary: "Mr. Morrill."

Mr. Morrill: "I vote nay."

Mr. Stockton: "Mr. President, I have a colleague, and my colleague has telegraphed me that he has paired off with the Senator from Maine (Mr. Morrill). I telegraphed to him yesterday morning that the Senator from Maine did not wish any longer to be bound by his arrangement for pairing off. I received an answer this morning by telegraph from my colleague, stating that he could not regard the arrangement as at an end. I think it my duty on Mr. Wright's account to state this fact to the Senate, because when he was last in this chamber he told me as he left the hall that he would not go home if it were not for the fact that he had paired off with the Senator from Maine. Mr. President, I ask that my name be called."

The President *pro tempore*: "The Secretary will call the name of the Senator from New Jersey."

The Secretary called Mr. Stockton's name, and he voted in the affirmative.

Mr. Morrill: "Perhaps the statement of the honorable Senator requires that I should say that the fact is substantially as he states. The fact changes no result, however. Some seven weeks ago, perhaps, when this question was expected to be called up, Mr. Wright being here in his seat, I agreed to pair off with him. This week, when the question was expected to come up, I felt embarrassed by the arrangement, and I advised Mr. Stockton on Wednesday evening of that embarrassment and desired him to notify his colleague. This is Friday.



A sufficient time, a reasonable time having elapsed, I think, within which the Senator's colleague might have returned, and after the great lapse of time since the original arrangement was made, and in view of the changes that have taken place in the Senate, I felt constrained upon the whole to vote upon the question."

Mr. Nye: "It is proper for me, being a new member here, to inquire whether upon a question of this kind the person claiming the seat is entitled to a vote according to the rules of this body."

The President *pro tempore*: "There is no rule of the Senate upon the question, and the Chair has not the prerogative of settling any question of the kind except to hold that the name of every Senator on the list may be called, and it is the privilege of every person whose name is on the list to have his vote recorded."

The result was announced—yeas 22, nays 21; so the resolution was agreed to.

On the next day Mr. Sumner, of Massachusetts, moved to amend the journal of the Senate by striking out the vote of Mr. Stockton on the question of his seat.

Mr. Saulsbury, of Delaware, said: "I rise to another question of order. The journal is correct, the vote having been taken, and cannot be amended, I apprehend, by a resolution contrary to the fact. The vote was given by Mr. Stockton. The journal is correct. No one denies that the journal states the truth, and therefore to undertake to correct it now in this way would be to make it speak that which is false. The vote of Mr. Stockton was given. My point of order is that this motion cannot be entertained in the Senate, being out of order."

Mr. Sumner, of Massachusetts, replied: "There are two ways, I believe, if there are not three, but there are certainly two ways of meeting the question which is presented to us by the vote of Mr. Stockton. One is by a motion to disallow the vote; the other by a motion such as I have now made to amend the journal. Perhaps a third way, though not so satisfactory to my mind, would be by a motion to reconsider; but I am not in a condition to make this motion, as I did not vote with the apparent majority. I call your attention, however, at the outset, to two ways: one by disallowing the vote, and the other by amending the journal; but behind both those ways, or all three ways, arises the simple question, had Mr. Stockton a right to vote? To this I understand it is replied that his name was on the roll of the Senate, and accordingly was called at the desk by our Secretary. To which I reply, and to my mind the reply cannot be answered, the rule of the Senate is to be construed always in subordination to the principles of natural law and parliamentary law, and therefore you are brought again to the question with which I began, had Mr. Stockton a right to vote?"

He then proceeded to prove that by the principles of natural law and parliamentary law no man could be a judge in his own case.

He said: "If the interest of a Senator appeared only by evidence *aliunde*, by evidence outside, as, for instance, that he had some private interest in the results of a pending measure by which he was necessarily disqualified, his vote could be disallowed only on motion; but if the incapacity of the Senator to vote on a particular occasion appears on the journal itself, I submit that the journal must be amended by striking out his vote. The case is patent."

Mr. Johnson, of Maryland, replied: "What have those of us who voted in accordance with the vote cast by the honorable member from New Jersey done? We have sat still, heard his vote recorded, heard the result announced, and not an objection was made by any member of the Senate, except by the honorable member from Nevada (Mr. Nye) and the honorable member from Massachusetts himself, who, in a moment of excitement, told us it was against the law of nature, not of nations, as he is represented. Against the law of nature to do what? That a man should sit in judgment in his own case. Is it his own case within the meaning of the principle upon which the honorable member from Massachusetts relies? It is the case of the State of New Jersey, and not of Mr. Stockton. He stands here claiming to represent her. He in the past has voted in that capacity, and in casting his vote the other day he represented, not himself individually, but the State of New Jersey. Whether he properly represents New Jersey may be a question; but in the vote he cast, he cast it claiming to be the representative of New Jersey, and his name stands on your files as the representative of New Jersey. How are you to get it off? Every resolution that has been before the body, whether proposing an amendment to the Constitution or otherwise; every bill which has been submitted to the body and upon which the body voted, no matter what the nature of the bill was, he has been permitted to vote upon, his vote has been recorded. When has he ceased to be a member of the body? Never."

Mr. Trumbull, of Illinois, said: "I believe, as I said before, that the Senator from New Jersey is entitled to his seat, but I do not believe that he is entitled to hold his seat by his own vote. He would have held his seat without his own vote. The vote upon the resolution was a tie without the vote of the Senator from New Jersey; and that would have left him in his seat, he already having been sworn in as a member. It is not necessary that the resolution should have passed. He is here as a Senator, and it would require an affirmative vote to deprive him of his seat as a Senator."

Mr. Davis, of Kentucky, said: "Mr. President, I am authorized to come to the conclusion that this is not a *bona fide* examination of the right of the Senator from New Jersey to a seat here according to his vote and the law and the Constitution. It is not intended to examine into and ascertain, upon the principles of law and the facts of the case, whether he is entitled



to his seat or not. That is not the object. The object is to gain party power, to acquire a power in the body sufficient to achieve a two-thirds vote of the Senate for the party objects of the party that is now in the ascendancy in the two Houses of Congress; and no man is so blind as to wink his eyes against the truth of that proposition. If this issue had been made before a tribunal irrespective of party considerations and the necessity, real or supposed, of a party majority of two-thirds, we should never have heard, in my judgment, of the right of Mr. Stockton being seriously contested, or at least such contest would only have been by a very small minority of the body.

"Mr. President, will not the same party excuses and the same need for party ascendancy and for party strength in this and in the other House come about in the future? In future Senates, when the House may be divided, as it may well be divided, equally in the case that I put, what will be the effect of this precedent and of party impulses generally? It will be for one of the parties to contest the seat of a member of the other party in the House, without any regard to the merits of the case, but simply to grasp at and reach party power.

"Now, Mr. President, if Mr. Stockton is to be deprived of his right to vote on the present question, it must be by some rule or by some law. Will the honorable Senator from Massachusetts point out any rule or any law that contravenes, much less that overrules the positive provision of the Constitution, that each Senator shall be entitled to one vote? That is the law of the Constitution in the organization of the Senate."

In the progress of the debate, Mr. Stockton rose to withdraw the vote given by him on the previous day. He said: "Mr. President, I rise to withdraw my vote, with the permission of the Senate, and I am exceedingly anxious that I shall make my position in doing so perfectly clear. At the moment that I voted on the resolution of the Judiciary Committee, no man had questioned my right to vote in this body when my name was called, from the moment I entered the chamber, upon any subject whatever. I had been, on the contrary, told by Republican as well as Democratic Senators, by gentlemen of different politics, that in their opinion I was entitled to vote. None of them with whom I spoke on the subject had examined that matter particularly. The question of the validity of that vote never crossed my mind. I believe today, I believe this moment, that that vote was a valid vote under the Constitution of the United States."

After an extended debate, Mr. Sumner withdrew his motion for an amendment of the journal, and Mr. Poland, of Vermont, moved a reconsideration of the vote of the previous day on the resolution reported by the committee, which was agreed to. Various propositions were now made to meet the difficulty before

the Senate, among which Mr. Sumner, of Massachusetts, offered the following:

*Resolved*, That the vote of Mr. Stockton be not received in determining the question of his seat in the Senate.

A motion to refer this resolution to the Judiciary Committee was lost, and the resolution was then agreed to.

The question on the original report of the committee, which closed with the resolution,

*Resolved*, That John P. Stockton was duly elected, and is entitled to his seat as a Senator from the State of New Jersey, for the term of six years from the 4th day of March, 1865,

was postponed until the next day. When it came up on March 27th, Mr. Clark, of New Hampshire, moved to amend the resolution by striking out all in it after the word "Stockton," and inserting "is not entitled to a seat as Senator from that State for the term of six years from the 4th day of March, 1865."

Mr. Stockton, in opposition to the motion, addressed the Senate in extended remarks, and concluded as follows: "Mr. President, from the foregoing examination, I think I have proved the following propositions:

"1. Senators of the United States are to be 'chosen' by the Legislatures of the several States.

"2. The 'manner' of the choice is to be prescribed by the Legislature thereof.

"3. The Legislature of New Jersey, by statute, indicated the 'Senate and Assembly in joint meeting assembled' as the 'manner' in which the duty imposed upon them by the Constitution of the United States should be performed.

"4. The constitution of New Jersey recognizes 'the Senate and Assembly in joint meeting assembled' as the Legislature of the State.

"5. 'The Senate and Assembly in joint meeting assembled' have full power to determine the 'the manner' of the election of the United States Senate, by the authority derived from the Constitution of the United States; the constitution of the State; by virtue of the statute law of the State; by parliamentary usage, and by universal custom.

"6. That if the joint meeting had not the power to prescribe the manner of choice, yet the 'manner' being determined by the statute of the State, 'the Senate and Assembly in joint meeting assembled' were authorized to indicate their choice by such rules as they might adopt.

"7. The election of Mr. Stockton under the rules adopted by the joint meeting of 1865 was not a plurality election, but was the choice of the majority, expressed by the method indicated by them, so declared in the resolution previous to the election, and subsequent to it by the silence and acquiescence of all the members.

"8. That the whole body confirmed the legal election of Mr. Stockton, and authorized the Governor, under the statute, to commission



him as United States Senator for six years from the 4th of March, 1865, and thereby the matter is concluded."

The amendment was then adopted, and the resolution as amended was agreed to by the following vote:

YEAS—Messrs. Brown, Chandler, Clark, Conness, Cragin, Creswell, Fessenden, Grimes, Howard, Howe, Kirkwood, Lane of Indiana, Nye, Pomeroy, Ramsey, Riddle, Sherman, Sprague, Sumner, Wade, Williams, Wilson, and Yates—23.

NAYS—Messrs. Anthony, Buckalew, Cowan, Davis, Doolittle, Guthrie, Harris, Henderson, Hendricks, Johnson, Lane of Kansas, McDougall, Morgan, Nesmith, Norton, Poland, Saulsbury, Trumbull, Van Winkle, and Willey—20.

ABSENT—Messrs. Dixon, Foot, Foster, Morrill, Stewart, Stockton, and Wright—7.

On March 29th Mr. Sumner, of Massachusetts, said: "I move that the Secretary of the Senate be directed to communicate to the Governor of New Jersey a copy of the resolution in reference to the seat of Mr. Stockton."

The motion was agreed to.

In the Senate, on July 11th, Mr. Clark, of New Hampshire, moved to consider a bill to regulate the time and manner of holding elections for Senators in Congress. Mr. Clark thus explained the bill: "The object of this bill is to secure uniformity in the manner of electing Senators of the United States, that we may avoid the questions and differences that have sometimes existed. The bill provides that the Legislature chosen next preceding the expiration of a senatorial term, shall, on the second Tuesday of its session, each House by itself, vote for some person to represent the State in the Senate by *viva voce* vote, and shall enter upon the records the name of the person who shall have a majority in each House. On the next day of the session the two Houses are to assemble in joint convention, and if it be found that the same person has been chosen by the two Houses he is then the Senator; but if the two Houses have not selected the same person by the vote of each House, then the two Houses, in joint convention, are to proceed to ballot for a Senator, and to continue so to do until they have chosen. It provides first for an attempt to elect by a concurrent vote of the two Houses; and if the two Houses fail to do it, then they meet the next day in joint convention, and by joint ballot elect. I think this statement embraces the provisions of the bill. Its object is to secure uniformity in the election of Senators in all the States. It has been reported from the Committee on the Judiciary."

A debate ensued on the necessity of the measure, when, after some verbal amendments, it passed the Senate by the following vote:

YEAS—Messrs. Anthony, Clark, Conness, Cragin, Edmunds, Fessenden, Foster, Grimes, Harris, Howard, Howe, Johnson, Lane of Indiana, Morgan, Morrill, Nesmith, Nye, Poland, Pomeroy, Stewart, Sumner, Trumbull, Wade, Willey, and Williams—25.

NAYS—Messrs. Cowan, Davis, Doolittle, Guthrie,

Henderson, Norton, Riddle, Saulsbury, Sherman, Sprague, and Van Winkle—11.

ABSENT—Messrs. Brown, Buckalew, Chandler, Creswell, Dixon, Hendricks, Kirkwood, Lane of Kansas, McDougall, Ramsey, Wilson, Wright, and Yates—13.

It was taken up in the House on July 24th, and passed without amendment—yeas 78, nays not counted.

In the Senate, on March 12th, a bill for the admission of Colorado as a State in the Union, was considered. A protest was presented against the admission; and a reply to the protest, by the representatives of the State. The following extract from the latter will explain both documents:

Your memorialists having been chosen to represent the people of Colorado in Congress, and having been requested by their State Legislature-elect to present their application for the admission of the State into the Union, respectfully represent:

That the people of Colorado desire said admission in accordance with the provisions of the enabling act of Congress, approved March 21, 1864, as is provided in Senate bill No. 74, now pending.

That the protest presented to your honorable body against such admission, purporting to be from colored citizens of Colorado, is without signatures, the names being printed thereon. And your memorialists have satisfactory assurances that many of said names were thus used without the knowledge or consent of the parties, and that they have expressed dissatisfaction therewith. And further, that the leading man among them regrets his inconsiderate action, and has since expressed in writing a desire for the admission of the State notwithstanding his protest.

Your memorialists would further call your attention to the fact that this petition makes several misrepresentations in its statements. It represents that the framing and adoption of the Constitution were "accomplished by the utmost recklessness and disregard of law, and in many cases by actual fraud."

The truth is, the convention that framed the constitution was composed of a large body of the best men in the Territory. Its deliberations were conducted in good order, with care and marked ability. This is shown by its journal of proceedings and the admirable constitution it adopted, which has challenged universal approbation, excepting the franchise clause, on account of its retaining the word "white" in its qualifications. The elections were held and conducted in compliance with the laws regulating elections in the Territory by an ordinance of the convention. Instead of having been carried by fraud, the vote on the constitution was universally received as a fair verdict, and all parties yielded a ready assent to it. They all acted in good faith in the subsequent proceedings under the constitution. After the vote on its adoption was known, the elections for member of Congress, State officers, and members of the Legislature, were participated in by all parties, in all parts of the Territory, in good faith, proving a hearty assent to the adoption of the constitution. And the Legislature-elect met to choose United States Senators, as provided for by ordinance, every member being present and participating in its proceedings.

And further, it is not true, as the language of the protest implies, that there is any thing in the constitution excluding colored children from public schools. Nor is there any thing in its provisions restricting the colored man from the full enjoyment of all the immunities, rights, and privileges of white men, excepting the privileges of the elective franchise; and for this, and all of its provisions, the constitution provides a ready mode of amendment.



Mr Sumner, of Massachusetts, in opposition to the bill, said: "It seems to me that there are three distinct objections at this moment to the admission of Colorado as a State, and I will speak of them in their order: first, the irregularity of the proceedings which have ended in the seeming adoption of the constitution presented to us; second, the small number of people constituting the population of that Territory, not being sufficient, as I submit, to justify us in investing it with all the great prerogatives of a State; and in the third place, it does not come before us now according to the requirements of the enabling act, with a constitution republican in form and consistent with the Declaration of Independence."

Relative to the third objection, he further said: "The requirement of this very enabling act under which they have pretended to proceed, but which, as I have shown, was already exhausted before they entered upon these proceedings, is as follows:

That the constitution, when formed, shall be republican, and not repugnant to the Constitution of the United States and the principles of the Declaration of Independence.

"Now, what is the constitution? Article three, entitled 'Suffrage and Elections,' begins as follows:

*Sec. 1.*—Every white male citizen of the age of twenty-one years and upward, who is by birth, or has become by naturalization or by treaty, or shall have declared his intention to become a citizen of the United States according to the laws thereof, and who shall have resided in the State of Colorado for six months preceding any election, and shall have been a resident for ten days of the precinct or election district where he offers to vote, shall be deemed a qualified elector and entitled to vote at the same.

"There you have the requirement, 'every white male citizen;' in other words, nobody who is not 'white' under this constitution is recognized as entitled to the elective franchise. Now, sir, I insist, and on that head I challenge a reply from any Senator on this floor, that such a constitution does not comply with the requirement, that it is not republican, and that it is repugnant to the principles of the Declaration of Independence.

"Again, sir, I submit that at this moment, when the whole country is agitated by the great question, what shall be done for the protection of the colored race, to what extent we shall exercise the high powers of Congress in order to carry that protection into the rebel States, it will hardly be decent for us in reviewing the constitution of a new State not to apply to it the highest possible test. It will not do for us now to recognize this constitution of Colorado as republican in form. We owe it to ourselves to set an example and to require that in a State now organized under our influence a good example shall prevail. How many of us heard with regret the result last autumn in Connecticut, and again in Wisconsin, by which suffrage to the colored race was denied! We felt that by those two votes liberty had suffered, that an

enfranchised race was placed in jeopardy, that its rights were dishonored by those who ought to have upheld them; and now, sir, you have cast upon you in this chamber that same identical responsibility."

Mr. Sumner then offered the following amendment:

Insert at the end of the second section the following proviso:

*Provided*, That this act shall not take effect except upon the fundamental condition that within the State there shall be no denial of the elective franchise or of any other rights, on account of color or race, but all persons shall be equal before the law; and the people of the Territory shall by a majority of the voters, at public meetings to be convened by the Governor of the Territory, declare their assent to this fundamental condition, and the Governor shall transmit to the President of the United States an authentic statement of such assent, whenever the same shall be given, upon receipt whereof he shall by proclamation announce the fact, whereupon without any other proceedings on the part of Congress this act shall take effect.

Mr. Stewart, of Nevada, in reply, said: "The construction of the Constitution from the earliest time down has left that matter to the States. Whether they allow negroes to vote or not, is a matter for themselves, and their action either way is not in conflict with the Constitution of the United States. We have no right to make a constitution for a State. If their constitution has in it any thing in conflict with the Constitution of the United States, we can say to them, 'you must agree not to enforce it;' but we are not here to make a constitution for the State of Colorado. We are here with power to restrain her from violating the Constitution of the United States, and that is all. If you can make this part of the constitution of Colorado, you can make an entire constitution for her. If you can say she shall come into the Union on an equal footing with the other States, provided she shall not have the power to regulate the question of suffrage as the other States have, you can say she shall come in on an equal footing, provided she would pass some other favorite law of yours, and you could carry it through and make her come in with a constitution made for her by you. I think this would be a very dangerous precedent for the Congress of the United States to set. It would be making constitutions for the States by the Congress of the United States."

Mr. Pomeroy, of Kansas, said: "In reference to their want of population, all I can say is, that they proximate toward and are in the neighborhood, at any rate, of that number of population that we have always required. No specific number has ever been required. These people are now regularly organized. All parties in the Territory acquiesce in the State government. There is no party there, as far as I can learn, hostile to it. I know I have just received a letter from Judge Wilcox, a distinguished citizen who went there from my own State, in which he says there is not a public man there, unless he holds an office under the



territorial government, opposed to it. I presume no question will be raised here as to the loyalty of the people of Colorado, because they volunteered largely, they helped us through the war, and they have sent here two of the most loyal, consistent, and earnest Republicans (if that is any test of loyalty) that they have in the Territory."

Mr. Saulsbury, of Delaware, said: "I shall occupy the attention of the Senate but a moment. I wish simply to say that if I could vote for the admission of Colorado under the circumstances, I should do so with great pleasure; because I find one fact connected with the history and character of that people that commends itself to my most favorable consideration. I find that there are at least eight or nine sensible men in that Territory to one of a contrary character; because when the proposition to allow negro suffrage was submitted to the people of that Territory, there were 4,192, according to the statement laid on our tables, opposed to it, and only 476 lunatics in the whole Territory in favor of it. That is a fact that commends itself to my most favorable consideration; and had Colorado, in my judgment, a sufficient number of inhabitants to be entitled to admission into the Union, I would most cheerfully vote for her admission, because I think she has presented in this vote the evidence of the good sense of her people."

Mr. Grimes, of Iowa, in opposition, said: "It appears that a census was taken in 1861, when there was a total population in Colorado of 25,329. Of these, the adult males were 18,233; minors, 2,622; and females, 4,484. In all the Territories there is a large preponderance of adult males, and especially is that so of Colorado; and although I am told by my fellow-citizens of Iowa who are in the habit of going to Montana, some of them almost monthly, that there has been a considerable increase of females in that Territory, yet there is a very large preponderance of adult males there yet. In 1861, when that enumeration was made, there was a vote taken, and the correct aggregate vote was 10,580. Out of a population of 25,329 there were 10,850 voters. In 1862 there was another election. What was the number of voters then? Eight thousand two hundred and twenty-four.

"In 1864, the vote of Colorado was 5,769. On the adoption of the constitution on the 12th of September, 1864, the total vote was 6,192. They had at that time a very exciting election. I was in correspondence with some of the gentlemen who were interested in that election. Every effort was made to bring out every possible voter that could be found within the limits of the Territory, and I suppose they were all brought out; and the total vote polled was 6,192. Now, just examine and see, if you please, what relation 6,192 voters bear to the total population of the State if the same ratio still exists between males and females as existed in 1861. Why, sir, you have got a population

of somewhere in the neighborhood of from twelve to fifteen thousand, not more.

"Then, again, on the 5th of September, 1865, there was another exciting election on the question of the adoption of a State constitution, and what was the result then? The total vote was 5,895, less than in 1864, and the majority in favor of the adoption of the State constitution was only 155. Now it is seriously proposed here that we shall admit a State into this Union which, in an exciting election over the question whether she shall come in at all or not, when all the office-seekers who expect to be Senators and Representatives and Judges and Governors are arrayed on one side and are using all their influence to bring men to the polls, and when the tax-payers, who were conscious that they are to be oppressed with the burdens of taxation if they come into the Union, are arrayed on the other side, can only poll 5,895 votes, and that a mining State where there is a vast preponderance of males over females! I confess that it strikes me as the sublimity of impudence for the State to come here and ask to be admitted into the Union and be entitled to the same power and influence in this body as the State of Ohio or New York or Pennsylvania."

Mr. Lane, of Kansas, said: "Would the Senator have voted for the admission of Kansas with 4,600 voters, with the knowledge that that constitution not only confined suffrage to the whites, but actually excluded blacks from the State? The same day that the people of Kansas voted for the constitution confining suffrage to the whites, they voted, by a vote of 4,000 to 400, to exclude blacks from the State; and the Senator from Massachusetts, and every Republican in both branches of Congress, indorsed that constitution, and the Republican party throughout the Union indorsed it."

Mr. Wade, of Ohio, in explanation, said: "I ought to say, in justice to the committee that passed this enabling act two years ago, that the proof before us then convinced us that some very rich mines had lately been discovered in Colorado; that there was great excitement all over the country on the subject, and that people were flocking in there from all parts of the United States as they did in California when the precious metals were first discovered there; and we were assured by those who ought to know, that by the time we should get this State into the Union there would be the usual number of people there that Territories had ordinarily at the time of their admission; for as far as I know we have not been very particular as to the exact number of people that should be sufficient to constitute a State. The old rule was (and it was a very good and intelligible one), that there ought to be about as many as would furnish a Representative, whatever the ratio of apportionment should be at the time. That is a kind of gauge, but then that is departed from frequently, according to circumstances. If it is a State that is not fill-



ing up very fast, and there is no reason to suppose that a large population will go into the Territory, that is a reason why we should require more when they are admitted; for certainly, in order to admit a State into the Union, there should be some criterion as to population.

"In my judgment this Territory is not in such a condition as that in justice to her own people and in justice to the other States of the Union, she should now be admitted into the Union.

"As to this word 'white' in the constitution, I have but one word to say. In my judgment that of itself constitutes a very great reason why she should not be admitted. It will not do to tell me that I have voted heretofore for the admission of States with the word 'white' in their constitutions, excluding the colored population. I have no doubt that every Senator who has been here long has done it. Why, sir, the man who has made no progress upon the great subject of human rights within the last five or six years belongs to the fossil race; he must be clear down to the old red sandstone. We are now demanding free suffrage everywhere. How long have we been doing so? How long is it that slavery has been abolished throughout this whole Union? How could a man five years ago stand upon this floor and claim that the black population should have the right of suffrage in every Territory admitted into this Union? We were contending then, not for the admission of the blacks to the right of voting in the Territories, but we were endeavoring to fence out slavery itself in the Territories. We were fighting in a death struggle to keep slavery out. It would have been preposterous then to talk about admitting one with the right of the colored people to vote, and the man that would have insisted upon it would have been an impractical man."

Mr. Trumbull, of Illinois, said: "I think it wholly out of place to go into this question of population now. The Senate is committed, Congress is committed, by its previous action, and the question of population has nothing to do, as it seems to me, with our votes on the present occasion; we are bound by our action on that question."

Mr. Doolittle, of Wisconsin, said: "Now, as it seems to me, dealing in perfect good faith with the Territory of Colorado and with ourselves, in the belief that they had a population of forty or fifty thousand at the time, and in the belief that that population would increase, we authorized them to hold a convention, form a constitution, and submit the question to the people whether they would have a State government or not. All that was done and the people said no. As it seems to me, all power under this act was expended when that thing was accomplished; and now the question returns as an original proposition. I do not feel that we are bound by what we have done to close our eyes to the fact of the present condition of the people of Colorado, and that it does come before

us substantially as a new and original proposition for us to consider whether in our opinion Colorado is this day now to assume the position and the responsibilities, and discharge the duties of a State in this Union. I come to this conclusion against my hopes and against my wishes in relation to Colorado, for I had hoped she would have the requisite population at this time."

Mr. Sumner withdrew his amendment.

Mr. Williams, of Oregon, said: "I shall vote for this bill expressly on the ground that Congress has passed an enabling act authorizing the people of this Territory to form a State constitution. I know it has been said here, and there is force in the statement, that the enabling act has exhausted itself, and that the people had no right to proceed to form a State constitution not in accordance with the provisions of that act; but the main objection made to the passage of this bill is that the population of the Territory is insufficient. That, sir, was a legitimate argument to urge against the passage of the enabling act; and that argument was then adduced, or ought to have been adduced, to show that Congress should not authorize the people of the Territory to form a State constitution. But Congress at that time determined that question. Congress then decided that the population of the Territory was sufficient to authorize the people to form a State constitution; and I say that the people of the Territory had a right to expect that that question was settled by the action of Congress. And now when this application is made for admission, they ought not to be met and defeated upon the ground that the population of the Territory is not sufficient to authorize the formation of a State government."

The vote was then taken on the bill, and it was rejected, as follows:

YEAS—Messrs. Chandler, Cragin, Kirkwood, Lane of Indiana, Lane of Kansas, McDougall, Nesmith, Norton, Pomeroy, Ramsey, Sherman, Stewart, Trumbull, and Williams—14.

NAYS—Messrs. Buckalew, Conness, Creswell, Davis, Doolittle, Fessenden, Foster, Grimes, Guthrie, Harris, Hendricks, Morgan, Morrill, Poland, Riddle, Sprague, Stockton, Sumner, Van Winkle, Wade, and Wilson—21.

ABSENT—Messrs. Anthony, Brown, Clark, Cowan, Dixon, Foot, Henderson, Howard, Howe, Johnson, Nye, Saulsbury, Willey, Wright, and Yates—15.

On April 17th, Mr. Wilson, of Massachusetts, moved to reconsider this vote. He said: "I voted the other day against that admission, but I must confess that in doing so I did not feel satisfied that I was dealing fairly with the people of Colorado. I do not think it is fair play, after we passed the bill, which we did pass in 1864, and after the most enterprising and vigorous men in that Territory, who agree with a majority of us in this Chamber, have framed a constitution, and came here for admission, for us to refuse their application on the ground of a distinction which they have made in their constitution, when we did not ask them to



refrain from making such a distinction; when we imposed no conditions on them; when we did not suggest any. After this course of legislation it seems to me too late now to raise a question upon that point."

A debate, extending through several days, took place on this motion to reconsider. The vote was finally taken on April 25th, and resulted in yeas 19, nays 13. The bill was then ordered to be engrossed, read a third time and passed, as follows:

**YEAS**—Messrs. Chandler, Clark, Conness, Cragin, Creswell, Howard, Howe, Kirkwood, Lane of Indiana, Nye, Pomeroy, Ramsey, Sherman, Sprague, Stewart, Trumbull, Van Winkle, Willey, and Wilson—19.

**NAYS**—Messrs. Buckalew, Davis, Doolittle, Edmunds, Foster, Grimes, Guthrie, Hendricks, McDougall, Morgan, Poland, Riddle, and Sumner—13.

**ABSENT**—Messrs. Anthony, Brown, Cowan, Dixon, Fessenden, Harris, Henderson, Johnson, Lane of Kansas, Morrill, Nesmith, Norton, Saulsbury, Wade, Williams, Wright, and Yates—17.

In the House, on the same day, it was passed without debate, by the following vote:

**YEAS**—Messrs. Ames, Anderson, Delos R. Ashley, James M. Ashley, Baker, Banks, Barker, Beaman, Benjamin, Bidwell, Bingham, Blow, Brandagee, Bromwell, Buckland, Bundy, Reader W. Clark, Sidney Clarke, Cobb, Conkling, Cullom, Defrees, Deming, Dixon, Dodge, Donnelly, Driggs, Dumont, Eckley, Farquhar, Ferry, Garfield, Grinnell, Abner C. Harding, Hart, Henderson, Holmes, Hotchkiss, Asahel W. Hubbard, Chester D. Hubbard, James R. Hubbell, Ingersoll, Jenckes, Kasson, Kelso, Ketcham, Laffin, Latham, George V. Lawrence, William Lawrence, Loan, Longyear, Marston, McClurg, McKee, Mercur, Miller, Moorhead, Moulton, Myers, O'Neill, Orth, Patterson, Plants, Alexander H. Rice, Rollins, Sawyer, Schenck, Shellabarger, Smith, Spalding, Francis Thomas, Trowbridge, Upson, Van Aernam, Burt Van Horn, Robert T. Van Horn, Warner, Welker, Whaley, and Williams—81.

**NAYS**—Messrs. Allison, Alley, Ancona, Baxter, Bergen, Blaine, Boutwell, Boyer, Broomall, Chanler, Coffroth, Darling, Dawson, Denison, Eldridge, Eliot, Finck, Glossbrenner, Grider, Griswold, Aaron Harding, Harris, Higby, James Humphrey, Julian, Kelley, Kuykendall, Le Blond, Lynch, Marshall, McCullough, McKuer, Morrill, Morris, Newell, Niblack, Paine, Perham, Pike, Raymond, John H. Rice, Ritter, Ross, Rousseau, Shanklin, Stevens, Stillwell, Strouse, Taylor, Thornton, Elihu B. Washburne, Henry D. Washburn, James F. Wilson, Windom, Winfield, Woodbridge, and Wright—57.

**NOT VOTING**—Messrs. Baldwin, Cook, Culver, Davis, Dawes, Delano, Eggleston, Farnsworth, Goodyear, Hale, Hayes, Hill, Hogan, Hooper, Demas Hubbard, John H. Hubbard, Edward N. Hubbell, Hurlburt, James M. Humphrey, Johnson, Jones, Kerr, Marvin, McIndoe, Nicholson, Noell, Phelps, Pomeroy, Price, Radford, Samuel J. Randall, William H. Randall, Rogers, Schofield, Sitgreaves, Sloan, Starr, Tabor, Thayer, John L. Thomas, Trimble, Ward, William B. Washburn, Wentworth, and Stephen F. Wilson—45.

On May 16th the President returned the bill to the Senate, with his objections, as follows:

*To the Senate of the United States:*

I return to the Senate, in which it originated, the bill which has passed both Houses of Congress, entitled "An act for the admission of the State of Colorado into the Union," with my objections to it becoming a law at this time.

1. From the best information which I have been

able to obtain, I do not consider the establishment of a State government at present necessary for the welfare of the people of Colorado. Under the existing territorial government all the rights, privileges, and interests of the citizens are protected and secured. The qualified voters choose their own legislators and their own local officers, and are represented in Congress by a Delegate of their own selection. They make and execute their own municipal laws, subject only to revision of Congress—an authority not likely to be exercised, unless in extreme or extraordinary cases. The population is small, some estimating it so low as twenty-five thousand, while advocates of the bill reckon the number at from thirty-five thousand to forty thousand souls. The people are principally recent settlers, many of whom are understood to be ready for removal to other mining districts beyond the limits of the Territory if circumstances shall render them more inviting. Such a population cannot but find relief from excessive taxation if the Territorial system, which devolves the expense of the executive, legislative, and judicial departments upon the United States, is for the present continued. They cannot but find the security of person and property increased by their reliance upon the national executive power for the maintenance of law and order against the disturbances necessarily incident to all newly-organized communities.

2. It is not satisfactorily established that a majority of the citizens of Colorado desire or are prepared for an exchange of a territorial for a State government. In September, 1864, under the authority of Congress, an election was lawfully appointed and held for the purpose of ascertaining the views of the people upon that particular question. Six thousand one hundred and ninety-two votes were cast, and of this number a majority of 3,152 was given against the proposed change. In September, 1865, without any legal authority, the question was again presented to the people of the Territory with the view of obtaining a reconsideration of the result of the election held in compliance with the act of Congress, approved March 21, 1864. At this second election 5,905 votes were polled, and a majority of 155 was given in favor of State organization. It does not seem to me entirely safe to receive this last-mentioned result, so irregularly obtained, as sufficient to outweigh the one which had been legally obtained in the first election. Regularity and conformity to law are essential to the preservation of order and stable government, and should, as far as practicable, always be observed in the formation of new States.

3. The admission of Colorado at this time as a State into the Federal Union appears to me to be incompatible with the public interests of the country. While it is desired that Territories sufficiently matured should be organized as States, yet the spirit of the Constitution seems to require that there should be an approximation toward equality among the several States comprising the Union. No State can have more than two Senators in Congress; the largest State has a population of four millions, several of the States have a population exceeding two millions, and many others have a population exceeding one million.

A population of one hundred and twenty-seven thousand is the ratio of apportionment of Representatives among the several States. If this bill should become a law, the people of Colorado, thirty thousand in number, would have in the House of Representatives one member, while New York with a population of four millions, has but thirty-one. Colorado would have in the electoral college three votes, while New York has only thirty-three. Colorado would have in the State two votes, while New York has no more.

Inequalities of this character have already occurred, but it is believed that none have happened where the inequality was so great. When such inequality has been allowed, Congress is supposed to



have permitted it on the ground of some high public necessity, and under circumstances which promised that it would rapidly disappear through the growth and development of the newly admitted State. Thus, in regard to the several States in what was formerly called the "Northwest Territory," lying east of the Mississippi, their rapid advancement in population rendered it certain that States admitted with only one or two Representatives in Congress would in a very short period be entitled to a great increase of representation. So when California was admitted on the ground of commercial and political exigencies, it was well foreseen that that State was destined rapidly to become a great, prosperous, mining, and commercial community. In the case of Colorado, I am not aware that any rational exigency, either of a political or commercial nature, requires a departure from the law of equality which has been so generally adhered to in our history.

If information submitted in connection with this bill is reliable, Colorado, instead of increasing, has declined in population. At an election for members of a Territorial Legislature held in 1861, 10,580 votes were cast. At the election before mentioned, in 1864, the number of votes cast was 6,192; while at the irregular election held in 1865, which is assumed as a basis for legislative action at this time, the aggregate of votes was 5,905. Sincerely anxious for the welfare and prosperity of every Territory and State, as well as for the prosperity and welfare of the whole Union, I regret this apparent decline of population in Colorado, but it is manifest that it is due to emigration, which is going out from that Territory into other regions within the United States, which either are in fact, or are believed by the inhabitants of Colorado to be, richer in mineral wealth and agricultural resources. If, however, Colorado has not really declined in population, another census or another election under the authority of Congress would place the question beyond doubt, and cause but little delay in the ultimate admission of the Territory as a State, if desired by the people. The tenor of these objections furnishes the reply which may be expected to an argument in favor of the measure derived from the enabling act which was passed by Congress on the 21st day of March, 1864. Although Congress then supposed that the condition of the Territory was such as to warrant its admission as a State, the result of two years' experience shows that every reason which existed for the institution of a territorial instead of a State government in Colorado at its first organization still continues in force.

The condition of the Union at the present moment is calculated to inspire caution in regard to the admission of new States. Eleven of the old States have been for some time, and still remain, unrepresented in Congress. It is a common interest of all the States, as well those represented as those unrepresented, that the integrity and harmony of the Union should be restored as completely as possible, so that all those who are expected to bear the burdens of the Federal Government shall be consulted concerning the admission of new States, and that in the mean time no new State shall be prematurely and unnecessarily admitted to a participation in the political power which the Federal Government wields—not for the benefit of any individual State or section, but for the common safety, welfare, and happiness of the whole country.

ANDREW JOHNSON.

WASHINGTON, D. C., May 15, 1866.

The message was read, and with the bill laid on the table, and ordered to be printed.

On May 21st, Mr. Hendricks, of Indiana, moved to take up the bill. After much debate, the motion was agreed to, and the consideration of the bill postponed one week. It was not acted on during the session.

On December 18th, a joint resolution passed both Houses of Congress, expressing a desire to testify their sensibility upon the occasion of the public bereavement by the tragic death of President Lincoln, and a purpose to meet on February 12th, in the hall of the House, and listen to an address upon the life and character of the deceased.

At twelve o'clock and ten minutes P. M., on February 12th, the members of the Senate, following their President *pro tempore* and their Secretary, and preceded by their Sergeant-at-Arms, entered the Hall of the House of Representatives and occupied the seats reserved for them on the right and left of the main aisle.

The President *pro tempore* occupied the Speaker's chair, the Speaker of the House sitting at his left. The Chaplains of the Senate and of the House were seated on the right and left of the presiding officers of their respective Houses.

Shortly afterward the President of the United States, with the members of his Cabinet entered the Hall and occupied seats, the President in front of the Speaker's table, and his Cabinet immediately on his right.

Immediately after the entrance of the President, the Chief Justice and the Associate Justices of the Supreme Court of the United States entered the Hall and occupied seats next to the President, on the right of the Speaker's table.

The others present were seated as follows:

The Heads of Departments, with the Diplomatic Corps, next to the President, on the left of the Speaker's table;

Officers of the Army and Navy, who, by name, have received the thanks of Congress, next to the Supreme Court, on the right of the Speaker's table;

Assistant Heads of Departments, Governors of States and Territories, and the Mayors of Washington and Georgetown, directly in the rear of the Heads of Departments;

The Chief Justice and Judges of the Court of Claims, and the Chief Justice and Associate Justices of the Supreme Court of the District of Columbia, directly in the rear of the Supreme Court;

The Heads of Bureaus in the Departments, directly in the rear of the officers of the Army and Navy;

Representatives on either side of the Hall, in the rear of those invited, four rows of seats on either side of the main aisles being reserved for Senators.

The Orator of the Day, Hon. George Bancroft, at the table of the Clerk of the House;

The Chairman of the joint Committee of Arrangement at the right and left of the orator, and next to them the Secretary of the Senate and the Clerk of the House;

The other officers of the Senate and of the House, on the floor at the right and the left of the Speaker's platform.

When order was restored, at twelve o'clock and twenty minutes P. M., the Marine band,



stationed in the vestibule, played appropriate dirges.

At twelve o'clock and thirty minutes the two Houses were called to order by the President *pro tempore* of the Senate.

Rev. Dr. Boynton, Chaplain of the House of Representatives, offered a prayer. After which the President *pro tempore* of the Senate, in introducing the orator of the day, said:

"No ordinary occasion could have convened this august assemblage. For four weary years the storm of war, of civil war, raged fiercely over our country. The blood of the best and bravest of her sons was freely shed to preserve her name and place among the nations of the earth. In April last the dark clouds which had so long hung heavily and gloomily over our heads were all dispersed, and the light of peace, more welcome even than the vernal sunshine, gladdened the eyes and the hearts of our people. Shouts of joy and songs of triumph echoed through the land. The hearts of the devout poured themselves in orisons and thanksgivings to the God of battles and of nations that the most wicked and most formidable rebellion ever known in human history had been effectually crushed and our country saved.

"In the midst of all this abounding joy, suddenly and swiftly as the lightning's flash, came the fearful tidings that the chief Magistrate of the Republic, our President loved and honored as few men ever were, so honest, so faithful, so true to his duty and his country, had been foully murdered, had fallen by the bullet of an assassin. All hearts were stricken with horror. The transition from extreme joy to profound sorrow was never more sudden and universal. Had it been possible for a stranger, ignorant of the truth, to look over our land, he would have supposed that there had come upon us some visitation of the Almighty not less dreadful than that which once fell on ancient Egypt on that fearful night when there was not a house where there was not one dead. The nation wept for him.

"After being gazed upon by myriads of loving eyes, under the dome of this magnificent Capitol, the remains of our President were borne in solemn procession through our cities, towns, and villages, all draped in the habiliments of sorrow, the symbols and tokens of profound and heart-felt grief, to their final resting-place in the capital of his own State. There he sleeps, peacefully embalmed in the tears of his countrymen.

"The Senate and House of Representatives of the United States have deemed it proper to commemorate this tragic event by appropriate services. This day, the birthday of him whom we mourn, has properly been selected. An eminent citizen, distinguished by his labors and services in high and responsible public positions at home and abroad—whose pen has instructed the present age in the history of his country, and done much to transmit the fame and renown of that country to future ages—

Hon. George Bancroft—will now deliver a discourse."

Mr. Bancroft (who, on coming forward, was greeted with warm demonstrations of applause) then proceeded to deliver an oration.

In the Senate, on May 8th, Mr. Sumner, of Massachusetts, from the Committee on Foreign Relations, reported the following joint resolution, which had previously passed the House:

*Resolved, etc.*, That the Congress of the United States of America has learned with deep regret of the attempt made upon the life of the Emperor of Russia by an enemy of emancipation. The Congress sends their greeting to his Imperial Majesty and to the Russian nation, and congratulates the twenty million serfs upon the providential escape from danger of the sovereign to whose head and heart they owe the blessings of their freedom.

The first amendment of the Committee on Foreign Relations was to strike out the word "their" before the word "greeting," so that it would read: "The Congress sends greeting to his Imperial Majesty," etc.

The amendment was agreed to.

The next amendment was to add as an additional section the following:

*And be it further resolved*, That the President of the United States be requested to forward a copy of this resolution to the Emperor of Russia.

The amendment was agreed to.

Mr. Sumner said: "The public prints have informed us that an attempt was made on the life of the Emperor of Russia by a person animated against him on account of his divine effort to establish emancipation. That report, I am inclined to think, has not disclosed completely the whole case. It does not appear, from what we are told, that the special ground of animosity to the Emperor, at the present moment, is so much the original act of emancipation as the courage and perseverance and wisdom which he has displayed in carrying it forward to its practical results.

"I have had occasion, formerly, to remind the Senate how completely the Emperor has done his work. Not content with issuing the decree of emancipation, which was in the month of February, 1861, he has proceeded, by an elaborate system of regulations, to provide, in the first place, for what have been called the civil rights of all the recent serfs; then, in the next place, to provide especially for their rights in court; then, again, to provide for their rights in property, securing to every one of them a homestead; and then, again, by providing for them rights of public education. Added to all these, he has secured to them also political rights, giving to every one the right to vote for all local officers, corresponding to our officers of the town and of the county. It is this very thoroughness with which he has carried out his decree of emancipation that has aroused against him the ancient partisans of slavery, and I doubt not it was one of these who aimed at him that blow which was so happily arrested.



The laggard and the faithless are not pursued by assassins.

"The Emperor of Russia was born in 1818, and is now forty-eight years of age. He succeeded to the throne on the death of his late father in 1855. Immediately after his accession he was happily inspired to bring about emancipation in his great country. One of his first utterances when declaring his sentiments, was, that it was important that this great work should begin from above, to the end that it should not proceed from below. Therefore he insisted that the Imperial Government itself should undertake the blessed work, and not leave it to the chance of insurrection or of blood. He went forth bravely, encountering much opposition; and now, that emancipation has been declared in form, he is still going forward bravely in order to crown it by assuring all those rights without which emancipation is little more than a name. It was, therefore, on account of his thoroughness in the work that he became a mark for the assassin; and, sir, our country does well when it offers its homage to the sovereign who has attempted so great a task, under such difficulties and at such hazards, making a landmark of civilization."

Mr. Saulsbury, of Delaware, said: "I move to amend the resolution by striking out the words 'by an enemy of emancipation;' and upon this amendment I will submit a remark. The Senate of the United States, sir, is called upon to vote for this resolution as it stands, and to assert by its vote that the attempt made upon the life of the Emperor of Russia was 'by an enemy of emancipation.' Now, sir, I ask you, I ask any member of the Senate, whether there is one particle of evidence before this body, or whether there is a particle of evidence extant in this country, and accessible to the people of this country, which shows that such an attempt was made by an enemy of emancipation. I have seen none such. The statement that I have seen in the papers is that it was by a man in the humble walks of life, and I presume by a man that did not own many serfs. If it be the fact that this attempt at the assassination of the Emperor of Russia was made by an enemy of emancipation, that fact can be easily ascertained, for Russia is represented here by a minister. Inquiry could have been made of that minister; and if the fact be as alleged in the resolution we could have had knowledge of that fact from a proper and reliable source."

The amendment was rejected and the resolution passed. It was subsequently agreed to, as amended by the House. The resolution was transmitted to the Emperor in the iron-clad steamer Miantonomah.

In the House, on May 14th, Mr. Chanler, of New York, submitted the following resolutions:

*Resolved*, That the independent, patriotic, and constitutional course of the President of the United States, in seeking to protect by the veto power the rights of the people of this Union against the wicked

and revolutionary acts of a few malignant and mischievous men meets with the approval of this House and deserves the cordial support of all loyal citizens of the United States.

*Resolved*, That this House believes the Freedmen's Bureau unnecessary and unconstitutional, and hereby directs the chairman of the committee having charge of that bureau to bring in a bill to repeal all acts and parts of acts inconsistent with this resolution.

Mr. Stevens, of Pennsylvania, raised the question of reception, which was decided by the following vote:

YEAS—Messrs. Bergen, Chanler, Denison, Eldridge, Finck, Goodyear, Grider, Aaron Harding, Kerr, Le Blond, Niblack, Ritter, Rogers, Ross, Shanklin, Sitgreaves, Strouse, Tabor, and Trimble—19.

NAYS—Messrs. Alley, Allison, Ames, Delos R. Ashley, James M. Ashley, Baker, Baldwin, Banks, Baxter, Benjamin, Bingham, Blaine, Blow, Boutwell, Bromwell, Broomall, Bundy, Reader W. Clark, Sidney Clarke, Cobb, Conkling, Cook, Cullom, Darling, Dawes, Dawson, Defrees, Deming, Donnelly, Dumont, Eggleston, Farnsworth, Ferry, Garfield, Abner C. Harding, Hart, Hayes, Henderson, Higby, Holmes, Hooper, Asahel W. Hubbard, Chester D. Hubbard, John H. Hubbard, James R. Hubbell, Hulburd, Jenckes, Julian, Kasson, Laffin, George V. Lawrence, William Lawrence, Loan, Longyear, Lynch, McKee, Mercur, Miller, Moorhead, Morrill, Orth, Paine, Patterson, Perham, Pike, Plants, Alexander H. Rice, Rollins, Sawyer, Schenck, Spalding, Stevens, Van Aernam, Burt Van Horn, Ward, Warner, Elihu B. Washburne, Henry D. Washburn, William B. Washburn, Welker, Williams, James F. Wilson, Windom, and Woodbridge—84.

In the House, on May 14th, Mr. Stevens, of Pennsylvania, introduced the following resolution, on which he demanded the previous question:

*Resolved*, That a committee of three members be appointed by the Speaker, whose duty it shall be to proceed, without unnecessary delay, to Memphis, in the State of Tennessee, to make an investigation into all matters connected with the recent bloody riots in that city, which began on the 1st instant, and particularly to inquire into the origin, progress, and termination of the riotous proceedings, the names of the parties engaged in it, the acts of atrocity perpetrated, the number of killed and wounded, the amount and character of the property destroyed, and report all the facts to the House; and the Sergeant-at-arms or his deputy, and the stenographer of the House, are directed to accompany said committee; and that all the expenses of this investigation be paid out of the contingent fund of the House. The said committee shall have power to send for persons and papers, and examine witnesses under oath.

It was passed by the following vote:

YEAS—Messrs. Alley, Allison, Ames, Delos R. Ashley, James M. Ashley, Baker, Baldwin, Banks, Baxter, Benjamin, Bidwell, Bingham, Blaine, Blow, Boutwell, Bromwell, Broomall, Reader W. Clark, Sidney Clarke, Cobb, Conkling, Cook, Cullom, Darling, Davis, Dawes, Defrees, Delano, Deming, Donnelly, Dumont, Eckley, Eggleston, Farnsworth, Ferry, Garfield, Abner C. Harding, Hart, Hayes, Henderson, Higby, Holmes, Hooper, Asahel W. Hubbard, Demas Hubbard, John H. Hubbard, James R. Hubbell, Hulburd, Jenckes, Julian, Kasson, Kuykendall, Laffin, William Lawrence, Loan, Longyear, Lynch, McKee, Mercur, Miller, Moorhead, Morrill, Orth, Paine, Patterson, Perham, Pike, Plants, William H. Randall, Alexander H. Rice, Rollins, Rousseau, Sawyer, Schenck, Stevens, Van Aernam, Burt



Van Horn, Ward, Warner, Elihu B. Washburne, Henry D. Washburn, William B. Washburn, Welker, Williams, James F. Wilson, Windom, and Woodbridge—87.

*NAYS*—Messrs. Bergen, Chanler, Dawson, Denison, Eldridge, Finck, Goodyear, Grider, Aaron Harding, Kerr, Latham, Le Blond, Niblack, Ritter, Rogers, Ross, Shanklin, Sitgreaves, Spalding, Strouse, Tabor, and Trimble—22.

In the House, on May 21st, Mr. McClurg, of Missouri, offered the following resolution and called the previous question :

*Whereas* it is clearly manifest that the continued contumacy in the seceding States renders it necessary to exercise Congressional legislation in order to give to the loyal citizens of those States protection in their natural and personal rights enumerated in the Constitution of the United States, and, in addition thereto, makes it necessary to keep on foot a large standing army to maintain the authority of the National Government and to keep the peace; and whereas the country is already overburdened by a war debt incurred to defend the nationality against an infamous rebellion, and it is neither just nor politic to inflict this vast additional expense on the peaceful industry of the nation : Therefore,

*Resolved*, That it be referred to the joint committee of the Senate and House to inquire into the expediency of levying contributions on the seceding States to defray the extraordinary expenses that would otherwise be imposed on the General Government; and that said committee be instructed to report by bill or otherwise.

It was agreed to by the following vote :

*YEAS*—Messrs. Allison, Ames, Anderson, James M. Ashley, Baker, Beaman, Bidwell, Boutwell, Brandagee, Reader W. Clark, Cobb, Cook, Cullom, Dawes, Defrees, Deming, Donnelly, Driggs, Dumont, Eckley, Eliot, Abner C. Harding, Henderson, Higby, Holmes, Hooper, Asabel W. Hubbard, Demas Hubbard, John H. Hubbard, Hulburd, Julian, Kelley, Kelso, Ketcham, George V. Lawrence, William Lawrence, Loan, Longyear, Lynch, McClurg, McKee, Mercur, Moorhead, Morrill, Morris, Moulton, O'Neill, Paine, Patterson, Perham, Pike, Plants, Price, John H. Rice, Rollins, Sawyer, Schenck, Schofield, Sloan, Spalding, Stevens, Trowbridge, Upson, Van Aernam, Ward, Henry D. Washburn, William B. Washburn, Welker, Williams, James F. Wilson, Stephen F. Wilson, Windom, and Woodbridge—73.

*NAYS*—Messrs. Ancona, Chanler, Davis, Dawson, Denison, Eldridge, Glossbrenner, Goodyear, Grider, Hale, Aaron Harding, Hogan, Edwin N. Hubbell, James M. Humphrey, Kerr, Laffin, Le Blond, Marston, McCullough, McRuer, Myers, Niblack, Nicholson, Phelps, Samuel J. Randall, Ritter, Rogers, Ross, Sitgreaves, Tabor, Taylor, Thayer, Whaley, Winfield, and Wright—25.

*NOT VOTING*—85.

On the same day the following resolutions, offered by Mr. Henderson, of Oregon, were adopted :

*Resolved*, That it is the sense of this House that all just and righteous governments are intended, not to confer rights and privileges upon the subjects thereof, but to secure to each and every individual the full, free, and untrammelled exercise and enjoyment of all those rights which God has bestowed upon him.

*Resolved*, That the safety, prosperity, and happiness of the people require that just and adequate penalties be annexed to the violation of law, and that those penalties be inflicted upon transgressors, not for the purpose of retaliation or revenge, but to insure subordination and obedience.

*Resolved further*, That we will stand by and sustain the President in executing the laws of the United States upon a sufficient number of leading rebels in each of the States lately in insurrection against the National Government, to vindicate the majesty of the law, to sustain the confidence of loyal people, and warn the refractory for all time to come.

The vote was not officially reported.

In the House, on December 20th, Mr. Lawrence, of Ohio, offered the following resolutions, which were laid on the table and ordered to be printed :

*Resolved*, That public justice and national security demand that, so soon as it may be practicable, Jefferson Davis, a representative man of the rebellion, should have a fair and impartial trial in the highest appropriate civil tribunal of the country, for the treason most flagrant in character by him committed, in order that the Constitution and the laws may be fully vindicated, the truth clearly established and affirmed that treason is a crime, and that the offence may be made infamous; and at the same time that the question may be judicially settled, finally and forever, that no State of its own will has the right to renounce its place in the Union.

*Resolved*, That public justice and national security demand that in case of the conviction of said Jefferson Davis, the sentence of the law should be carried into effect in order that the Constitution and the laws may be fully vindicated and faithfully executed, the truth clearly established and affirmed that treason is a crime, and that traitors should be punished.

*Resolved*, That in like manner, and for like reasons, such of the most culpable of the chief instigators and conspirators of the rebellion, as may be necessary to satisfy the demands of public justice and furnish security for the future, and those criminally responsible for the murder and starvation of Union prisoners of war, should be tried and punished for the high crime of which they have been guilty.

*Resolved*, That justice should not fail of its purpose, and that all who are guilty of or responsible for the assassination of the late President, and the great offenders during the recent rebellion guilty of and responsible for the murder and starvation of Union prisoners of war, as well as those guilty of or responsible for other unparalleled violations of the laws of civilized warfare, are amenable to and should be tried, convicted, and punished by military tribunals authorized by law, and sanctioned by the common law of war and the usage of civilized nations, whenever and so far as may be necessary to secure the ends of justice.

*Resolved*, That the Committee on the Judiciary be instructed to inquire what legislation, if any, may be necessary to provide juries for trials for treason, for writs of error, and to carry into effect the purposes of the foregoing resolutions; and that said committee report by bill or otherwise.

In the Senate, on December 21st, Mr. Howard, of Michigan, offered the following, which was agreed to :

*Whereas* the Constitution declares that "in all criminal prosecutions the accused shall enjoy the right of a speedy and public trial by an impartial jury of the State or District wherein the crime shall have been committed;" and whereas several months have elapsed since Jefferson Davis, late President of the so-called Confederate States, was captured and confined for acts notoriously done by him as such, which acts, if duly proved, render him guilty of treason against the United States, and liable to the penalties thereof; and whereas hostilities between the Government of the United States and the insurgents



have ceased, and not one of the latter, so far as is known to the Senate, is now held in confinement for the part he may have acted in the rebellion except said Jefferson Davis: Therefore,

*Resolved*, That the President be respectfully requested, if compatible with the public safety, to inform the Senate upon what charges or for what reasons said Jefferson Davis is still held in confinement, and why he has not been put upon his trial.

The reply to the preceding and to all other resolutions calling for information on the same subject was, that it would be incompatible with the public interest to furnish the same.

In the House, on April 9th, Mr. Raymond, of New York, offered the following resolution, which was referred to the Committee on the Judiciary:

*Whereas* the President of the United States has, by proclamation, declared the insurrection in the State of Virginia to be at an end; and whereas the reasons which have hitherto prevented the holding of a court of the United States in said State for the trial of persons charged with treason against the United States have been thereby obviated and removed: Therefore,

*Resolved*, That the President of the United States be requested to take steps for the speedy trial of Jefferson Davis, who has been duly indicted in said State for said crime of treason, unless he shall be, with reasonable dispatch, indicted for said crime, and put on trial in some other district in which he may be legally liable for trial.

On July 11th, Mr. Boutwell, of Massachusetts, offered the following resolution:

*Whereas* it is notorious that Jefferson Davis was the leader of the late rebellion, and is guilty of treason under the laws of the United States; and whereas by the proclamation of the President of May, 1865, the said Davis was charged with complicity in the assassination of President Lincoln, and said proclamation has not been revoked nor annulled: Therefore,

*Be it resolved*, As the opinion of the House of Representatives, that said Davis should be held in custody as a prisoner, and subjected to a trial according to the laws of the land.

The resolution was adopted by the following vote:

YEAS—Messrs. Alley, Allison, James M. Ashley, Baker, Baldwin, Banks, Baxter, Beaman, Bidwell, Bingham, Blaine, Boutwell, Bromwell, Buckland, Bundy, Reader W. Clark, Sidney Clarke, Cobb, Conkling, Cook, Cullom, Darling, Davis, Dawes, Defrees, Donnelly, Eckley, Eliot, Farnsworth, Farquhar, Ferry, Garfield, Grinnell, Griswold, Hale, Abner C. Harding, Hart, Hayes, Henderson, Higby, Holmes, Hooper, Hotchkiss, Chester D. Hubbard, John H. Hubbard, James R. Hubbell, Julian, Kelso, Ketcham, Kuykendall, Laffin, Latham, George V. Lawrence, William Lawrence, Loan, Longyear, Lynch, Marshall, Marvin, McClurg, McKee, McKuer, Mercur, Miller, Moorhead, Morrill, Morris, Moulton, Myers, O'Neill, Orth, Paine, Perham, Phelps, Pike, Plants, Pomeroy, Price, William H. Randall, Raymond, Alexander H. Rice, Sawyer, Schenck, Schofield, Shellabarger, Sloan, Smith, Spalding, Thayer, John L. Thomas, Thornton, Trowbridge, Upson, Van Aernam, Ward, Warner, Henry D. Washburn, Welker, Whaley, Williams, James F. Wilson, Stephen F. Wilson, Windom, Winfield, and Woodbridge—105.

NAYS—Messrs. Ancona, Boyer, Coffroth, Eldridge, Finck, Glossbrenner, Grider, Harris, Hogan, Johnson, McCullough, Niblack, Samuel J. Randall, Ritter, Rogers, Sitgreaves, Tabor, Trimble, and Wright—19.

On July 27th, Mr. Boutwell offered the following, which was agreed to:

*Resolved*, That there is no defect or insufficiency in the present state of the law to prevent or interfere with the trial of Jefferson Davis for the crime of treason or any other crime for which there may be probable ground for arraigning him before the tribunals of the country.

*Resolved further*, That it is the duty of the executive department of the Government to proceed with the investigation of the facts connected with the assassination of the late President, Abraham Lincoln, without unnecessary delay, that Jefferson Davis and others named in the proclamation of President Johnson of May 2, 1865, may be put upon trial and properly punished if guilty, or relieved from the charges against them if found to be innocent.

In the Senate, on April 30th, the House bill making appropriations for the service of the Post-office Department and other purposes, being under consideration, Mr. Henderson, of Missouri, had offered an amendment providing that persons appointed to office, but not confirmed by the Senate, should not receive any salary until such confirmation.

Mr. Trumbull, of Illinois, also offered the following amendment, which was accepted by Mr. Henderson:

*And be it further enacted*, That no person exercising or performing, or undertaking to exercise or perform the duties of any office which by law is required to be filled by the advice and consent of the Senate, shall, before confirmation by the Senate, receive any salary or compensation for his services unless such person be commissioned by the President to fill up a vacancy which has happened by death, resignation, or expiration of term, during the recess of the Senate and since its last adjournment.

Mr. Johnson, of Maryland, in opposition to the amendment, said: "I should like to know the reasons why the honorable member from Illinois supposes a provision of that sort is constitutional. There was a period in the beginning of the Government when the President's power to remove was considered somewhat questionable. It was, however, decided by the Senate to be a clear power; and from that time to the present I do not know that the legality of the power has ever been questioned. Mr. Webster, many years ago, when there was a contest between the then President of the United States and the Senate—a contest just as angry or just as excited as the contest which may be supposed to exist now between a majority of the Senate and the President—was disposed to call in question the power of removal; but the Senate will find that, in a letter written by Mr. Madison, in the papers we have recently published, in reply to Mr. Coles, who had been his former secretary, he enters into an argument on the subject and considers it a question no longer open for controversy. The Senate were very anxious at that time to prevent, if they could do it, the power which President Jackson was from time to time exercising, but they had to abandon it. I think the Supreme Court have more than once, the question being presented, recognized the



power to remove, and they have done it even in relation to a judicial officer. The members of the judicial department of the Government provided by the Constitution hold their office during good behavior. But, notwithstanding that, the judges of territorial governments, it was held, were always liable to be removed by the President; and a case was brought into the Supreme Court by a judge who had been removed, claiming his salary on the ground that he could not be removed, not because there existed no power to remove in relation to officers generally, but because of the particular character of his office; and the Supreme Court, as well as I recollect—I do not speak with positive certainty on the subject—decided that a judge in a Territory was not to be considered as a judge within the judicial department of the Government, and was therefore just as liable to be removed as any other officer appointed under the Constitution and laws.”

Mr. Trumbull, of Illinois, replied: “Mr. President, I do not think that the question of the power of the President to remove from office an incumbent and appoint another in his place during the recess is necessarily involved in the amendment which I have offered. That is a controverted point and has been from the foundation of the Government. The practice, I am aware, has been for the President to exercise the power to remove from office by making new appointments; and this has generally been acquiesced in.

“The laws upon this subject have not, however, been uniform. In 1863 there was created an officer called the Comptroller of the Currency, and in the law establishing the Currency Bureau it was provided that ‘there shall be appointed a chief officer to be styled the Comptroller of the Currency, who shall be under the general direction of the Secretary of the Treasury.’ The law further provided that ‘he shall be appointed by the President, on the nomination of the Secretary of the Treasury, by and with the advice and consent of the Senate, and shall hold his office for the term of five years, unless sooner removed by the President by and with the advice and consent of the Senate.’

“That law, passed in 1863, provided that the Comptroller of the Currency should be removed from office by and with the advice and consent of the Senate alone, and according to that statute it is not competent for the President of the United States to remove the Comptroller of the Currency except by the advice and consent of the Senate. The legislative construction which was put upon the President’s power in 1863 by this act was that it was competent for Congress to provide that persons could be removed from office only by the advice and consent of the Senate when they were appointed by that advice and consent.

“But, sir, the amendment which I have proposed does not involve that question. According to my understanding, the President

has no authority to fill a vacancy which exists in an office, by himself, without the advice and consent of the Senate, unless that vacancy occurs while the Senate is not in session; and one object of this amendment is to prevent appointments of that character. I deny that if a vacancy exists in an office while the Senate is here, the President has any power to fill up that vacancy without the advice and consent of the Senate. It takes the President and the Senate both to make an officer; but he may make a new appointment in case that officer dies during the recess of the Senate, or resigns his office, or in case the term for which he was appointed expires during the recess of the Senate so that a vacancy occurs, though I am not quite sure that he would have authority to appoint in the case of an expiration of the term, because that may not be the happening of a vacancy, inasmuch as the term expires at a fixed period, there is no uncertainty about it, and it is competent for the President to anticipate that period by sending the nomination of an officer to the Senate while it is in session for its confirmation. I am by no means clear that he has authority to appoint in that case, for then it becomes an appointment to an original office when the term has expired. However, it is provided in this amendment that in either of these cases the President may make an appointment or may fill up the vacancy, and the party will receive his salary. He has the constitutional authority to do this.

“But, Mr. President, the control of the revenues of the country and of the money of the country is not in the hands of the President; without the authority of Congress, he has no control over one dollar; he cannot draw his own salary except by authority of law; and the Senator from Maryland will observe that this provision does not go to the appointing power at all; it is merely a provision in regard to the salaries of officers or the compensation they are to receive. It is entirely competent for Congress to provide just as much compensation as it pleases, or no compensation. It may authorize an appointment of an officer without attaching any salary or any fees to the discharge of the duties of the office. I think there is a bill now pending, reported by the Senator from Massachusetts, the chairman of the Committee on Foreign Relations, that provides for the appointment of certain commissioners without any salary whatever. It is entirely competent for Congress to make such provision. There is, therefore, no constitutional question involved in this amendment which I have offered.”

Mr. Johnson, of Maryland, again said: “Mr. President, I am aware that the money of the Government is placed under the control of Congress; and in one sense, therefore, Congress has the right to refuse to pay salaries. They may refuse to pay the President his salary, now fixed by law. They may refuse to appropriate at all for the payment of the compen-



sation which the laws give, or which the laws ought to give, to the officers who may be appointed from time to time by the appointing power. But the honorable member, I am sure, will see that the ground upon which he places the constitutionality of this legislation, as far as that particular ground is concerned, is one which will not bear examination. If the President has the power to appoint, and the appointee has the right to go into office under the Constitution, although Congress may have the power to say that they will not pay, have they the moral right to say that they will not pay? And if there is no moral right to deny payment in such a case, are they not warring against the spirit of the Constitution, though not against its letter, by refusing to pay?

"The Senate of the United States, or both branches of Congress, may become so dissatisfied with the President of the United States as to be exceedingly anxious to get rid of him. His remaining in office may interfere with some favorite policy of Congress; Congress may look to political measures upon which, as they suppose, the welfare of the country depends, and find that they cannot accomplish their purpose in having such measures adopted as long as the incumbent of the presidential office is in his seat. There are two ways to get rid of him. One is to impeach him. That requires, to be successful, a vote in the body of two-thirds. Another is to starve him out, and that may be accomplished by refusing to pay his salary; and the honorable member's argument would be just as solid in a case of that description in support of legislation such as I have supposed, as it is in relation to the case before the Senate, provided the President has the authority to remove and to appoint.

"Mr. President, in all good temper, I caution my friends, or rather the member who offers this amendment, against what may be the consequences of this precedent in the future. It may answer the temporary purpose for which he avows it now to be designed; but it may be relied upon hereafter to answer a temporary purpose which the honorable member from Illinois would be the last man to wish to see accomplished. The precedent may return to plague the inventor. The dominant party now in each House of Congress may, in the course of time, become a minority. They may have elected their President, and he may be an officer who is willing to carry out their particular policy. These seats, however, and the seats in the other House may be filled by a majority of members who think that the policy which the minority and the President for the time being may desire to carry out, is dangerous to the country, and then they may propose just what the honorable member proposes now, not to take away the power of appointment, as he says, but to refuse to appropriate; not to declare that he shall not appoint, but to declare that if he does appoint, his appointment will be futile; and they may go further and say, fol-

lowing the principle for which this may be cited as a precedent, that the President for the time being stands in the way of the true interest and honor of the country, or stands in the way of some party aspiration; but as he cannot be got rid of by impeachment, they strike at his appointing power, and if they cannot get rid of him by taking from him, practically, the benefit of his appointing power, they accomplish the same thing by providing that no money shall go out of the Treasury to compensate his appointees."

Mr. Sumner, of Massachusetts, said: "The proposition is very simple; it needs no commentary or no explanation. All familiar with public offices know that there are unquestionably abuses that have occurred in the executive department from the habit, after the adjournment of the Senate, of filling vacancies which had existed during the session of the Senate but which the Senate had chosen not to fill. Is Congress wrong if it undertakes to provide by legislation that in such cases the party nominated shall not be entitled to any salary or compensation until he is afterward confirmed by the Senate? It may be, as the Senator from Maryland suggests, that we may not interfere with the power of removal; but there is one power which Congress has—and the Senate is a part of Congress—and that is the power over the purse-strings; and all that this proposition undertakes to do is to exercise power over the purse-strings in certain cases, so as to impose a check, a constitutional check, which recent events show ought to be imposed upon the Executive. The proposition is so simple that it hardly justifies argument, and I will not take any further time about it."

Mr. Sherman, of Ohio, said: "I dislike very much to see these propositions attached to our appropriation bills. They are in the nature of conditions to what we ought freely to grant, appropriations to meet the expenses of the Government. I do not like to see them put on in that way; but if the Senator from Illinois or the Judiciary Committee will frame a bill which will limit and restrain the power of the President to remove from office, so that when a man is appointed for four years he shall hold that office during those four years, unless he is removed for cause, to be submitted to the Senate, I will vote for such a proposition, and I say there never was a time when this great question could be more fairly met than now. It is admitted on all hands that at least a jealousy exists between the President and Congress; I will not say war, because I do not think there is a war, but there is a jealousy and a watchfulness probably on the part of the President and on the part of Congress. What is to prevent Congress now from passing such a law as I have indicated? The majority here is overwhelming. We have no object to accomplish of a mere partisan purpose. The majority in Congress is perhaps two-thirds in a party sense. What is to prevent now the Judiciary Commit-



tee from carefully framing a law prescribing the term of office of the various classes of officers of the Government, and declaring that the President shall not remove any one of those officers except for such and such causes?"

Mr. Henderson, of Missouri, in favor of the amendment, said: "Mr. President, no man can read the debate of 1789, as I have done within the last two or three days, without coming to the same conclusion. Mr. Madison and those who contended with him, it seems to me, were in favor of leaving this power in the hands of the President by their legislation, simply because they had entire confidence in the Father of his Country. I have looked at this question of removal, and I find that during the whole eight years of the administration of General Washington, after this debate in Congress, and after the admission that the power rested in the Executive to make removals without cause, there were but nine removals made. I do not say that they were made without cause, but I mean that there were but nine removals made by the Executive. Mr. Adams succeeded General Washington, and there were but ten removals during his term of four years. Jefferson was in the presidency for eight years, and he removed but forty-two men. The whole eight years of the administration of Mr. Madison show but three removals. Mr. Madison claimed the power to exist, I admit, as fully as the Senator from Maryland; but how did Mr. Madison exercise that power when he had the control of it himself? In the whole eight years of his administration he saw fit to make but three removals. Mr. Monroe was in the presidency for eight years, and he made but nine removals. John Quincy Adams, during his four years of administration, made but two removals. Forty years of the Government show but seventy-five removals, not two a year. But when General Jackson came in, the first year showed some two hundred and thirty, and after that, I believe, some four or five thousand; and from that day to this it has been the continual practice of the Executive to seize upon the offices of this country for the purpose of increasing their power and patronage. When we come to examine the Constitution we clearly come to the conclusion that the President has no power to remove an officer. Why should he have the power? He may nominate, and by and with the advice and consent of the Senate may appoint an officer, but where does he get the power, as was very properly said by Mr. Calhoun, to remove an officer after he had once been placed in office?"

Mr. Trumbull now modified his amendment to make the latter part read as follows:

Which has happened during the recess of the Senate and since its last adjournment, by death, resignation, expiration of term, or removal for acts done or omitted in violation of the duties of his office: the cause, in case of removal, to be reported to the Senate at its next session.

Mr. Johnson, of Maryland, again opposed the

amendment, saying: "The question is whether, under the Constitution, the President has the power to remove officers without the consent of the Senate; and the question, as it is presented by the amendment proposed by the honorable member from Illinois, comprehends every class of officers whom he may appoint with the advice and consent of the Senate. It embraces, consequently, the members of his Cabinet who are called around him for the very purpose of aiding him in the administration of his office, in whom he is to confide, in whose sincerity of friendship, political as well as personal, he ought to rely; and if the Senators will look to what was said in both Houses of Congress at the period when the several Departments were organized, they will see that it never entered into the imagination of any of the statesmen of that day that the President could be compelled to retain in his Cabinet officers in whom he had ceased to confide, no matter upon what ground his confidence was lost. If he suspected a want of integrity, without having any positive proof, nobody doubted that it would be not only his right but his duty to remove. If he suspected or believed a want of fitness, the same was the universal opinion. If he suspected that they were hostile to what he believed to be a proper discharge of his duty, nobody questioned that he would have a right to dispense with them and to get around him men who would, with himself, be a unit with reference to all the executive functions intrusted to that department of Government. But if you adopt this amendment as it is now altered by my friend from Illinois, you to a certain extent deny to him the right to remove a Cabinet officer, because the amendment as it now stands provides that if he does remove he must at the next session of the Senate report to the Senate the reasons upon which he removes. What is to be the effect of that, provided you have the authority to impose it? Suppose the reasons are not satisfactory, is the Cabinet member who has been removed to be reinstated? The amendment does not say so; and if it did say so, what would be the principle which the Senate would have adopted? That of forcing upon the President of the United States a Cabinet officer in whom he has no confidence, whom he believes to be untrue to duty, incompetent to the discharge of his office. The Senate may think differently from the President; they may believe that he has been true to duty, that he has every competency necessary to the discharge of the duties of the office, and so decide; is that to reinstate the minister who has been removed? This amendment does not say so. If it does not say so, what is to be the effect of the amendment? To get before the Senate some ground upon which the other branch of Congress may impeach the President of the United States.

"Now, I speak knowingly, Mr. President, when I say that whatever doubt was expressed during the session of the Congress of 1789 in



relation to the incidental power of the President to remove, no member of that body (and many of them had been members of the Convention by whom the Constitution was framed) ever suggested that the President could be compelled to keep around him any Cabinet officer whom he desired to displace.

"Now, let me stop for a moment to inquire, if there was no such power of removal, what would be the condition of the country, and what would be the condition of the President? He is sworn to see to the faithful execution of the laws; and how can he do it? Not personally; it can only be done through the instrumentality of subordinate officers named in the Constitution, or officers appointed under the authority conferred upon Congress by the Constitution. He finds that the laws are not being executed, that an incumbent disregards his duty, is guilty of excesses; is dishonest, is appropriating the public money to his own purposes; what is he to do? He cannot execute the laws except by means of officers; he cannot go into the country himself and collect the revenue; he cannot be at every custom-house in the country and see to the collection of imposts; he cannot go himself personally throughout the country and collect the internal tax, whatever that may be; he cannot execute the judgments of the courts; he cannot go with your Indian agents and see that they properly apply the money set aside by Congress for that purpose. He is obliged to do it through the instrumentality of subordinates, and he finds that they are faithless; what is he to do? You adjourn on the 4th of March; you cannot sit longer at the second session; you do not meet again until December. According to this amendment, although he may turn out (for the amendment does not deny that), he cannot supply the places of those who may be dismissed; or unless he can find anybody disposed to take the place upon the contingency that the Senate will thereafter approve of the appointment, the place is not to be filled.

"Well, then, your imposts are not collected; your tax remains in the hands of those who are liable to pay it; the duties which you owe to the Indians and the execution of your treaties with them remain unperformed. The Government, in a word, comes to a stand-still; and my honorable friend from Missouri thinks it would be pregnant with great public mischief to give to a President of the United States, elected by a majority of the people of the United States, a power of removal because he may abuse it. Certainly he may. Cannot we abuse our power? Are we individually better than he is? I do not speak of the present members of the Senate or of the House of Representatives, or of the present incumbent of the presidential office; but looking into the manner in which they are respectively elected, is it a bit more probable that the President of the United States will be corrupt or prejudiced, almost to the point of practical corruption, than

it is that some members of Congress may be corrupt; or to put a more respectable supposition, is it probable that they will be more enlightened and more able to see the true interests of the country than the President of the United States? I think not.

"As far as my knowledge extends, nobody has ever impeached the personal integrity of any President of the United States. As to that, each has been spotless in the public estimation. Errors of judgment have been imputed to them; imbecility was imputed to him who preceded President Lincoln; that is to say, an imbecility which unsuited him for the exigencies in which he was placed; but in point of personal integrity his character never was assailed. Members of the Senate have been charged with improper conduct, and have been expelled; members of the House of Representatives have been charged with improper conduct, and have been expelled. So then in point of fact, looking to the experience of the country, it is just as likely that misconduct may be found in the halls of Congress as that it may be found in the Executive chamber.

"But what is to supply the evil consequent upon the inability of the President to execute the laws because the officers placed under his charge are not fit, either morally or intellectually, to execute the laws? Above all, when you charge him, as a Congress would have the right to charge him; when the judgment of the country would charge him with having abandoned his duty in seeing the laws faithfully executed, and he comes before you and defends himself upon the ground that his officers were incompetent, you would, at one time, and every Senate will hereafter, if that should be the ground of impeachment, tell him in reply, 'It was your duty to remove the incompetent.'"

Mr. Fessenden, of Maine, said: "I object to this last clause requiring the President in case of removals to give his reasons to the Senate. I do not think we have a right to require that. If the President in the exercise of this power chooses to remove persons, we have a right to say that those appointed in their places shall not be paid until the Senate has chosen to act upon their nominations; but to put the President to the necessity in all cases of telling the Senate, if he nominates another person for an office, the reason why he does it, is a new thing. Such a proposition was offered once in the time of General Taylor by my immediate predecessor. He brought it up over and over again in a very strongly Democratic Senate. I do not remember whether they finally voted it down or not, but if not, they got rid of it; they would not pass it at any rate, holding to the doctrine that the President, having the power of removal, so long as he had it he must exercise his own discretion about that, and that with reference to his appointments the Senate would consider whether they were proper appointments to be made.



"I see no impropriety whatever in saying that when appointments are made during the recess, especially those which might as well be made to the Senate when it is in session, payment to those appointees shall be deferred until they have been confirmed. I do not think there is anything personal or offensive in making that rule. The doctrine which has been broached lately, and a matter conversed about under the administration of President Lincoln, was carried as far as this: that the President might nominate an officer during the recess of the Senate, which would hold up to the conclusion of the next session, and if then he was rejected or turned out, or at least not acted upon, it was again a vacancy arising in the recess of Congress, and the President might immediately put the same man in that the Senate had refused to confirm; and thus, in spite of the Senate, in spite of the constitutional provision, the power of appointment would rest entirely in the President, and the Senate was a nullity. I do not know, and do not presume that President Johnson would attempt to do any thing of that description. It is to be presumed he would not; but President Lincoln did, certainly in one case. I thought at the time it was exceedingly improper, and if the doctrine was followed out and the practice became fixed, that in reality the Senate would amount to just nothing at all."

Mr. Howe, of Wisconsin, in support of the amendment, said: "I hold, Mr. President, that this amendment is one of the most important, if not the most important, proposition that I have been called to vote upon since I have had the honor of a seat on this floor. It is nothing less than whether a hundred millions of money is to be placed in the hands of the President of the United States, and always kept there, to be used in propagating political opinions with the people of the United States. I never saw an opinion, I never heard of a political opinion that I would be willing to propagate at that expense. I think if we confine this missionary work to the proper organs, all political opinions which are proper to be inculcated upon the American people may be inculcated at a much less expense."

"I will not vote for this amendment; I will not vote for any other proposition which is calculated either to restrict the powers which the Constitution confers upon the President, or which are calculated to embarrass him in the exercise of those powers; and I say once more, if the Constitution does delegate to the President of the United States the right or the power to make these removals, it is our duty to acquiesce in that construction, to recognize the vacancies thus created, to cooperate cheerfully with the President in filling them, and appropriate regularly and annually the money necessary to pay the officers thus appointed; but I say that that power never was given to the President by the Constitution and never ought to be vested in him by the Constitution."

"This question has been treated as if all the officers whose duty it is to collect the customs, whose duty it is to collect the internal revenue, whose duty it is to act as marshals and deputy marshals of the several districts, all these subordinate officers were the mere assistants, aids, waiters, personal attendants upon the President to help him discharge his duties, and as though he were individually and officially responsible for all their acts."

Mr. Guthrie, of Kentucky, followed, saying: "My objection to this measure is, that the question was settled in 1789, settled when a great many of the men who had participated in making the Constitution were here in Congress, settled at the instance of Mr. Madison, who, perhaps, better understood the Constitution than any one else, and who regarded the power of removal as a power incidental to the executive duties which the Constitution conferred upon the President. This power of removal was acquiesced in during the Administration of Washington. I think the Senator from Wisconsin attributes more deference to Washington on the part of Congress than was felt or acted upon. However that may be, the power was exercised by Jefferson, by Madison, by Monroe, and by Adams, in a greater or less degree. It has been the settled doctrine of the Constitution since 1789 to the present time. My objection to this species of legislation is that it is an attempt to change the settled construction of the Constitution, which has been acted upon and sanctioned by the American people; it is a revolution in relation to the appointing and removing power, a civil revolution inaugurated by the members of Congress, who go back and criticise the action of their predecessors in coming to the resolution arrived at in 1789, and it is done obviously and clearly because these gentlemen do not agree that the President shall not have the power of removing certain men who support them and their measures in opposition to him. We all know that there are very few of them who, when they come to make a speech, can deny it."

"I am unwilling to change by vote of mine or to sanction a change of the construction of the Constitution in this particular as it has existed ever since the days of Washington, and has been exercised by all the Presidents. There may be dangers, there may be inconveniences in adhering to it; but I believe this Government cannot be carried on successfully and advantageously without the power of removal being invested in the Executive. I believe the power of Congress and public sentiment will always restrain the Executive in the direction in which he ought to be restrained. I advise and counsel no unjust or improper deference to the President; but I do advise that we will let the landmarks settled by our fathers and adhered to by all succeeding Administrations stand where we found them. I do not want to put it in the power of the President to say that Congress is making war upon him by de-



nying to him a power that all the Presidents of the United States have exercised, or curtailing it as far as possible."

The amendment of Mr. Trumbull was adopted by the following vote:

**YEAS**—Messrs. Clark, Conness, Creswell, Harris, Henderson, Howard, Howe, Kirkwood, Morrill, Nye, Poland, Pomeroy, Ramsey, Sprague, Sumner, Trumbull, Wade, Williams, and Wilson—19.

**NAYS**—Messrs. Davis, Dixon, Doolittle, Fessenden, Guthrie, Johnson, Morgan, Saulsbury, Sherman, Van Winkle, and Willey—11.

**ABSENT**—Messrs. Anthony, Brown, Buckalew, Chandler, Cowan, Cragin, Edmunds, Foster, Grimes, Hendricks, Lane of Indiana, Lane of Kansas, McDougall, Nesmith, Norton, Riddle, Stewart, Wright, and Yates—19.

The bill, with this and other amendments, was, on May 2d, passed.

On May 7th the Senate resumed the consideration of the bill, on a motion of Mr. Poland, of Vermont, to reconsider the vote by which the amendment of Mr. Trumbull had been passed.

Mr. Poland said: "I voted for the amendment to this bill, and for the bill itself, with great hesitation, and with the design, if I could not become better satisfied with it, to move to have it reconsidered. Subsequent reflection satisfied me that the amendment ought not to be adopted, and I therefore made the motion to reconsider.

"The amendment proposed by the Senator from Illinois to this bill is very general and comprehensive in its terms, and denies any payment of salary or compensation to officers appointed by the President before confirmation by the Senate, unless appointed to fill vacancies happening during the recess of the Senate by death, resignation, expiration of term, or removal for official misconduct.

"It is said that one of the mischiefs which this amendment is designed to prevent is the filling of vacancies which exist while the Senate is in session, and where there is an opportunity to submit nominations for their advice and consent, and this is omitted, or the nomination is rejected by the Senate, and the same person reappointed after the Senate adjourns. If the amendment went no further than this I could very cheerfully support it, for the language of the Constitution is clear that the President's power of appointment without the advice and consent of the Senate is confined to vacancies that happen during the recess of the Senate.

"But the amendment has a scope and meaning far beyond this. The power of the President to fill all vacancies that happen during the recess of the Senate is not denied. But this amendment declares that unless the vacancies happen in a particular way, the person appointed shall receive no salary or compensation until confirmed by the Senate.

"I have not examined or considered whether the exceptions cover every possible occasion of vacancy which can occur, except removals for

other reasons than for misconduct or malfeasance in office.

"This is the class of cases which the amendment is designed to reach, and I think its distinguished mover will not deny that the main object and purpose of the amendment is to declare that if the President makes removals from office for mere political reasons, and thus causes vacancies during the recess of the Senate, the persons he appoints to fill them shall receive no payment for their services in office until confirmed by the Senate. In such cases the real question is not on the power of the President to fill a vacancy, but as to his power to thus make a vacancy. This brings up the old question of the power of the President to remove from office persons to whose original appointment the advice and consent of the Senate was necessary.

"The Senator from Missouri (Mr. Henderson), with his usual straightforwardness and frankness, boldly avows that in his judgment the President's power of removal in such cases is commensurate only with his power of appointment; and that the consent of the Senate is as necessary to the removal as to the appointment. The able and learned argument of the Senator went far toward convincing me that if the question could now be considered an open one, that was the true construction of the Constitution.

"The Senator from Maine (Mr. Fessenden), declared his willingness to support the amendment, except for the clause requiring the cause of removal to be reported to the Senate; but he admitted the power of the President under the Constitution to make removals without the consent of the Senate. In urging the necessity of the amendment, however, he dwelt wholly upon the abuse of the appointing power, by making appointments after the adjournment of the Senate, which might have been made and submitted to the Senate while in session. I should be doing that Senator great injustice to suppose that he did not fully understand that the matter aimed at was altogether a different and broader one. Other Senators have fought shy upon this question, and have argued in favor of the amendment, not exactly denying the power of removal, but under protestation, as a special pleader would say, that they do not admit it. They have said, conceding that he has the power of removal, we have the power to say whether his new appointees shall receive the salaries and compensations provided by law for those holding the offices. So we have the power to refuse any appropriations to pay the salary of the President, or to carry on any and every department of the Government, and thus destroy it. Although we may have such power, it is one which can only be justified in use in the last resort, to prevent usurpation or the destruction of the liberties of the people.

"But if we believe that the President has not the legal and constitutional power of removal,



why not say so directly? If we are prepared to adopt the doctrine of the Senator from Missouri, why not do it in as open and manly a way as he declares it? After a uniform exercise of the power by every Administration since the formation of the Constitution, to some extent, although for a considerable time doubted and questioned, and after at least thirty years of undoubted and unquestioned use, by a sweeping change of political appointments, with every political change of administration, and by both political parties, if we design now to declare a different rule, and change the whole action of the Government in this respect, does it behoove us to do it in the indirect and sinister way this amendment proposes?

"I have asked if that was the design, to deny to the President the power to remove, why not declare so, and make the needful and proper legislation on the subject, and I have been told that we could not pass such a law. Why not, let me ask? It must be, I suppose, because a majority of this body, or of both Houses, do not believe in the principle. If that be so, is it exactly open and honest dealing to undertake to bolster up this amendment by affecting to believe the President transcends his power by making such removals and new appointments? I must be allowed to say that it is a mode of accomplishing a purpose that does not commend itself to me.

"But notwithstanding the argument in support of the amendment has been mainly that such political changes were beyond the legal and constitutional power of the President, the amendment upon its face concedes it, and provides that those appointed to fill vacancies caused by removals for misconduct in office shall be excepted from this prohibition of payment. It cannot be said that he has the power of removal for one cause, and has not for another. If by the Constitution he has the power of removal at all, of necessity he must be the sole and exclusive judge of the cause and necessity of removal. The validity or legality of the appointment of the officer appointed to fill such a vacancy could not be inquired into by going back to inquire for what cause his predecessor was removed. In the exhaustive discussions which this subject received from the eminent statesmen of the early days of the Government, it was never suggested but that the President was the only judge of the cause of removal, if he possessed the power in any case. This amendment virtually broaches a wholly new doctrine. It concedes the power of removal by the President, but assumes that we may go back behind that, and inquire into the reasons, for the purpose of determining whether the new appointee shall have pay. It is certainly an anomaly that a man may legally fill and perform the duties of an office, but his right to compensation shall depend upon the reasons that influenced the appointing power in making the appointment.

"The last contest on this subject of the Pres-

ident's power of removal was during President Jackson's administration, and the great Whig leaders of that day made a powerful effort to bring the Government back to what they claimed was the true construction of the Constitution, and deny the President the power of removal. But they did not succeed, and all parties have acted without question since upon the other theory. But it seems not to have occurred to those eminent statesmen that though the President could legally remove officers and fill their places with other persons, that they could make it a barren honor of depriving the holders of all compensation. It has been reserved for this financial generation to discover this new mode of curing either a defect in the Constitution or a wrongful interpretation of it. To me, the idea is strange and monstrous that a man who legally holds an office, and properly performs its duties, should not be paid because the reasons for his appointment were politically unsatisfactory. I believe such a position to be wholly indefensible; wrong in principle; one upon which no party can stand. In offering the motion to reconsider the vote passing this bill, I happened to say that such a doctrine seemed to me to be almost revolutionary. I have since learned that a radical Unionist has no right to use that word, that it belongs wholly to persons and papers of opposite political proclivities. I therefore take leave to withdraw the word.

"What is the real purpose and object of this amendment? I suppose we may as well speak of things as they exist and as we all know them to be, as to pretend to be thinking and talking of something else.

"A difference has arisen between the President and the Congress in relation to the proper policy to be pursued in relation to the States lately in rebellion, who separated from us and formed themselves into a separate government and between whom and us a fierce war raged for four years before we succeeded in conquering them. The President insists that, as the rebellion is put down and new State governments have been set up in those States, they are now entitled to be represented in the two Houses of Congress (if the members sent are loyal) and to participate in all respects in the administration of the General Government as if they had not rebelled. Congress, on the other hand, claim that all the legal relations between these States and the General Government having by the rebellion and war consequent upon it been severed, it rests with Congress as the law-making department of the Government to restore them again, and that, in doing so, it is their right and their duty to exact such assurances and guaranties as will protect the loyal part of the nation against all danger from those who have shown such a determination to destroy it.

"Neither the President nor Congress as yet show any disposition to yield to the views and policy of the other, and apparently the ques-



tion must be determined by an appeal to the people in the election of the next Congress.

"The President, and the majority in both Houses of Congress, were elected by the same political party, the great Union party of the country, which carried us so gloriously through the great rebellion; and the Federal offices of the country are generally filled by members of the same party, who were appointed by the President, or his predecessor, Mr. Lincoln. I suppose it to be true that the great majority of those persons now holding office, as well as the great mass of the Union party, concur with Congress in the proper policy to be pursued in the restoration of these rebel States. I suppose it is feared that in this contest before the people, as to which of these respective policies shall prevail, the President will attempt to strengthen his position by the use of his patronage, that is, that he will displace men who believe in and advocate the congressional policy, and fill the positions with either Union men, or Democrats who will advocate the policy of the President. And I do not know but it is feared that men now holding office, who really believe with Congress, will, for fear of losing their offices, profess to believe and act with the President. Now, I have no knowledge that the President designs any such course of action; he may or may not.

"Now, if this amendment is adopted, will it have the effect to prevent the President from making changes in office for political causes? If he has no such purpose or intention, then there is certainly no need of such an extraordinary provision being attached to this bill. And I may be allowed to say that I am not prepared to believe that he designs to do any such foolish thing. But assuming that he has such a wish and purpose, will the adoption of such an amendment as this be likely to prevent him from accomplishing it? On the other hand, will it not look like daring and defying him to do it, and be very likely to produce the very result we desire to avoid? It is very reasonable to suppose that the President would feel great reluctance to remove men of his own party, appointed either by himself or his martyred predecessor, even if they did not believe in or advocate his policy. If we attempt to prevent it by the use of such questionable, if not unwarrantable legislation, as this amendment proposes, is there not danger, not only that he will accept the challenge, but that this very amendment will be accepted by the people as a sufficient justification for that course, and furnish a ground for saying that Congress was the aggressive party? Situated as we are, it seems to me that the adoption of this amendment will be more likely to produce than to prevent what we all hope to avoid.

"But suppose that I am mistaken in my views, and in consequence of a failure to adopt this amendment, the President undertakes to help his case before the people by turning good Union men who believe with Congress out of

office, and fills their places with men, either Republicans or Democrats, who believe in his policy, is there any such ground of alarm in this as should frighten us out of our propriety, and drive us to doubtful and desperate expedients?

"The whole thing is founded in a mistaken lack of faith in the people. This has been a common error of politicians and public men always, but the mistake is greater now than ever before, and especially in regarding any past experience of the effect and power of political patronage as applicable to the present condition of things.

"In former times, when the people regarded politics merely as a trade by which certain men obtained a living; when the issues between the parties were about internal improvements, the public lands, banks, tariffs, and the like, subjects the real merits of which the masses of the people really knew but little about, and cared less; when they had no real belief that the success or defeat of either party would make a farthing's difference with them or the country, then a body of stirring, active office-holders, to circulate documents, harangue the people, and get out the voters, could produce a very important influence upon an election. But this state of things has no existence now, and no reliance can be placed now upon the experience of those days. For four long years we were engaged in a most desperate and bloody war, which perilled the very existence of the nation itself. The attention of the whole country was roused and was kept most painfully intent upon the causes and course of the war till it ended in the overthrow of the rebellion. Almost every family throughout the loyal North was represented in the army of the Union by some father, or brother, or son, and mourning and sorrow were carried into almost every Northern home by the death of some dear relative in the army by disease or on the battle-field, or the still more cruel mode of starvation in prison. In this way the people have come to comprehend every thing pertaining to the subject as fully and completely as the first statesmen in the land. Nor have they, since the close of the war, lost any of their interest in it, and will not until the whole matter is put at rest.

"I have heard it said here, I have read in the public press, that the great anxiety of the people was to have the matter settled, and get all the States once more into the Union together. The people are anxious to have the Union restored and all act again together, but that is not their great anxiety. What they fear, and about which they are earnestly anxious, is that they should not again be admitted until it is made perfectly certain that they are not again to come under Southern domination, and that not even by combination with their old allies in the North can they again control the Government. The Union people of the North are not revengeful or malignant, but they cannot forget their martyred brothers and sons, or



their own anxieties and sorrows; they cannot forget the immense burden of public debt imposed upon them; and they are too often reminded of it by the tax-gatherer, all of which has been brought upon them by the conduct of the people of these States, to feel over-anxious for their return to participate in ruling the nation without the best and strongest assurances that they are safe in doing so. Another reason which keeps them watchful and careful is that almost every Union man in the whole North, who has any considerable property, is the holder of the bonds of the Government, which they feel would be put in peril if the Southern men, even with Northern help, could ever again hold the control of this Government. It is not true, sir, that the Union people of the North are dissatisfied with the policy or the action of Congress on this subject. What they do fear is that we shall not stand firm to the end; they fear the effect of patronage on us, and they have far more reason to than we have to fear for them. Now, Mr. President, what luck do you suppose some postmaster, or marshal, or assessor, made by the President out of a copperhead or limping Republican, would have among these people arguing for the immediate and unconditional admission of the rebel States?

"The idea is simply ridiculous. The truth is, that the Union masses of the loyal States stand firmly with Congress in this matter, and will do so to the end if we do not allow them to make issues against us by the adoption of untenable measures. Our platform is firm and strong, and all the Union party will stand with and by us upon it, unless we by our own folly let in a weak timber or rotten plank to frighten them from it. In this particular matter of the political patronage of the President, if we do nothing that can be made an excuse or cover for it, if the President turns out good Union men because they sustain Congress and concur with the mass of their party, and puts in others because they agree with him, he will raise such a storm of indignation against himself among Union men as has not been witnessed before. The truth is, that the President, if he entertain any such design, cannot build up for himself, against the Union party, a presidential party of any considerable numbers without having in it the men who opposed every measure for the putting down the rebellion, who discouraged enlistments, opposed the draft, voted the war a failure, and many other things of that character. This very fact will destroy his party if he endeavors to make one. Where those men go the people will not. The people look upon this thing now as they did during the war, not as an ordinary question of politics, but as a question of loyalty or treason; and if the President abandons the great Union party to form one for himself, and his party is made up, as it must be in the main, by the men who opposed the war, they will soon be the only ones left in it.

"If the President is ambitious to have such a party as this, shall we deny him the benefit of a few hired mercenaries in the shape of Federal office-holders if he desires? If he chooses to make changes, so far as my own State is concerned he will have to make them from men who do not belong to the Union party, if he must have men who support his policy, for I have never yet heard of a Union man there who does not most cordially support Congress. And I believe my State is not singular in this respect, but that the same will be found true of every loyal State. Let us then have faith in the people, stand firmly upon our principles, avoid all false and doubtful expedients, leave to the President the full and free exercise of every constitutional right and prerogative, so that any action of his hostile to the party that elected him, if he be guilty of any, shall be without excuse. If we can keep from killing ourselves, I have no fear of the President being able to do so, even if he entertains any such wicked purpose."

Mr. Trumbull, in reply, said: The Senator from Vermont tells us that from the foundation of the Government this power of the President to remove and appoint at pleasure has been recognized. I would like to inquire of that Senator if it has been recognized in the army and navy. Has it not rather been denied? Will he point to the clause of the Constitution that restricts the power of the President in the appointment and removal of army and navy officers any more than it does in the appointment and removal of civil officers? Has not Congress from the foundation of the Government denied the authority of the President to remove, except as provided by law, a very large class of officers, both in the army and in the navy? Have we not denied it also in relation to civil officers? It is not true that the President has from the foundation of the Government exercised this power *ad libitum*. I am not disposed to go into that argument. The Senator from Missouri (Mr. Henderson) exhausted that subject the other day. He showed how many removals had been made under the different Presidents, and I was astonished at the few that were made by the earlier Presidents. I shall not go over the argument to show whether the power to remove exists or not. I think that subject has been sufficiently argued. But, sir, if the President has not the authority to remove during the recess of the Senate, as a general proposition, does the Senator deny that we may give him that authority? I take issue with the Senator from Vermont as to the authority of Congress in this respect. I insist that we may confer upon the President the power to remove in vacation by law, and wherever he does make a removal in vacation in pursuance of law, and makes an appointment in pursuance of law in vacation, it is proper we should pay the appointee; but because we by statute confer upon the President authority for cause to remove and appoint in vacation, does it there-



fore follow that without legislation he can remove and appoint in vacation? Why, sir, we confer upon the President this power to appoint officers by creating the office. We establish a new department of the Government; we increase the number of judges; we establish a judicial district; and how does the President get authority to appoint a judge or a marshal or an attorney? He gets it in pursuance of the law that creates the office; it is in pursuance of an act of Congress that he gets the power to make the appointments at all.

"Just so in regard to the removal and appointment of incumbents in office. We may provide by a statute that for cause he may remove a man from office during the vacation and substitute another in his place, and submit to the Senate when the Senate convenes the question of whether they will advise and consent to the new appointment. Congress may go further. They may authorize the President to appoint and remove inferior officers without asking the advice and consent of the Senate, and we have often done so. The Constitution expressly authorizes Congress by law to invest the appointment of inferior officers either in the President alone, or in the judges of the courts, or in any of the heads of departments; and in pursuance of this authority the appointments of various minor officers all over the country have been vested in the President alone and heads of departments. Now, would it not be competent to provide in one of these statutes, when we give him the power of appointment without consulting us, that he should not have the power of removal without cause?

Mr. Sherman, of Ohio, said: "We ought to meet at the outset every effort to attach these political or disputed problems to an appropriation bill. There is no excuse, let me say to my fellow-Senators, for this proposition at this particular time, because we in Congress, representing the great Union party of the United States, supported, as I believe we are, by the great mass of the people, probably ninety-nine out of every hundred of those who sent us here, have the power to pass the laws we think necessary, without attaching them as qualifications to an appropriation bill. We can pass any law which meets the sanction of our political party, by the requisite vote, either of a majority, or, in case of a clear proposition, by a two-thirds vote. There is, therefore, no occasion, in order to accomplish any political object, to attach this as a condition to an appropriation bill. If, however, only a majority of both Houses of Congress could agree upon any bill that might be proposed, that shows that we ought not to attach that opinion of a majority of each House to an appropriation bill, because we should not force upon the President any provision of law against his deliberate judgment unless we have the power to do it by the constitutional vote of two-thirds of both Houses. We should not make the public necessities which demand that certain departments of the Gov-

ernment be supplied with public funds a reason for forcing upon the President a provision that might not meet his sanction if it stood alone. It is impossible, it seems to me, to combat this plain proposition.

"But, sir, beyond that—and upon this point alone I rested my argument before—I was willing to meet the object embraced by the amendment of the Senator from Missouri; but upon an examination it was found, and I think very clearly proved, that the law of 1863 met all the difficulty that he proposed to meet, and that was an attempt on the part of the President to fill offices the vacancies in which occur during the session of the Senate. The law of 1863 provides for that case. If the President after the adjournment of the Senate undertakes to fill an office the vacancy in which occurred during the session of the Senate, he does it without the authority of the Constitution. He has no power to fill vacancies which occur during the session of the Senate, except by and with the advice and consent of the Senate; and if he attempts in violation of the Constitution to exercise a power not conferred by the Constitution, we are then perfectly justified in withholding appropriations; indeed, we should not do our duty unless we did withhold the appropriations, because if we should pay officers thus illegally appointed we should consent to a violation of the Constitution on his part. But now in the case provided for by this amendment there is no denial of the power of removal, but a denial of the right of the officer to receive his money. The Constitution provides for two classes of appointments: one class where a vacancy occurs during the session of the Senate; it must be filled by and with the advice and consent of the Senate; the other is the case of a vacancy which occurs during a recess of the Senate, and then the President from the nature of things and by the express provision of the Constitution has the power of appointing a man to office to fill that vacancy, but the vacancy is only filled by such an appointment until the end of the following session of the Senate. The officer thus appointed by the President is a legal officer. As I said the other day, there is no power conferred by the Constitution upon the President to remove any one from office. That power is only inferential. That power may be regulated by law. That power is not limited or restrained in the least by the amendment of the Senator from Illinois. The amendment does not say that a Union man shall not be removed from office and a rebel put in. That seems to be the proposition he debated; but that is not the proposition he has submitted to us. He says that no man shall be removed from office except for such and such causes; that is, a man who during this whole war has enjoyed the honors and emoluments of office shall not be turned out and a loyal Union soldier put in. That is one effect of his amendment."



Mr. Trumbull: "Except by and with the advice and consent of the Senate."

Mr. Sherman: "That is after the session is over. If there is a man who has held an office during all the years of the war, and received its emoluments, he shall not be turned out and a Union soldier without a leg or an arm put in, or if put in, that soldier shall not draw his pay until the Senate meets and passes upon the reasons for the removal; and then if the Senate does not think the removal is sufficiently justifiable by the reasons stated, he shall not have any pay at all. That is the effect of this provision. This, therefore, does not reach the purpose contemplated by the Senator from Illinois. His purpose, I know, is to prevent the President from removing men for their political opinions; that we all know to be the purpose; but the President has, by the very terms of the amendment, the power to remove. All he has got to do is to give us a reason, whether that reason is wise or unwise, sufficient or insufficient. He may give us a reason, and turn us off with a reason. Reasons are as plenty as blackberries. He may say he removes a man because he is a civilian and the person he appoints was a soldier.

"Well, take the case of an assessor or a collector or a consul or a diplomatic minister, and the thousands of officers covered by this amendment. Cabinet officers cannot be removed and anybody put in, rebel or loyal, except at the risk of not getting any pay in case the Senate disapproves the reasons for the removal. This amendment does not prevent the President from removing any man he chooses, and he may give us a reason or not just as he pleases; the removal is complete and perfect by the will of the President; so that the amendment accomplishes nothing. It is true, the man who takes the office cannot draw his pay until the Senate meets; but do you punish the President, do you cripple his power, do you limit his control over the public officers? Do you accomplish what you desire to accomplish? Not at all. You may punish some poor devil who is compelled to exercise the duties of an office and not get any pay for it; but you do not hurt the President or hurt his feelings. The result will be that good men, poor men, may be deterred from accepting office under these conditions, while bad men or rich men may be indifferent to the salary attached to the office. I say, therefore, with due deference to the Senator from Illinois, that the amendment does not accomplish the purpose that he has in view; it does not limit or control the power of the President over the public officers, but simply aggravates a controversy which may never arise.

"Now, sir, there is a way, I think, in which this matter can be accomplished—not by an amendment to an appropriation bill; not by a limitation of this character; but by the exercise of the power of Congress over the duration and term of the various public officers. Although it has been somewhat questioned at

different times since the foundation of the Government, yet, as I have said before, I do not believe it has ever been successfully controverted that Congress may regulate the duration and term of a public officer, may limit the power of the President to remove him, may declare that such and such an officer shall not be removed except for such and such a cause. But a bill of that kind must be made with many discriminations, must be made after much care. There are certain officers that the President ought to have the absolute power of removing; I can name Cabinet officers: it would be intolerable that the President should be expected to carry on the business of this great Government with a Cabinet council over whose members he had not the power of removal, the complete and absolute power. For that reason, hostile political parties have often confirmed the Cabinet ministers of a President of opposite politics, on the ground that the President, from the very necessity of the case, must have the power of removing Cabinet ministers and appointing such as he chooses. He must administer those great offices through his personal friends, and no party would require him to appoint any but personal friends around him to these great offices. He must, therefore, have power over the Cabinet ministers. So, too, he must have a power over the diplomatic corps in a great measure. Those are officers appointed to represent our country abroad, holding confidential relations with the Secretary of State, and therefore the power over those officers ought not to be limited or controlled or crippled by Congress. But there are classes of officers who ought to hold their offices independent of the power of removal by the President—assessors, collectors, postmasters, and other officers who really may exercise political power; that ought by the law to be secured from unjust and arbitrary removal; and there is nothing in the Constitution to prevent Congress from passing a law on the subject, securing those officers in the discharge of their duties.

"Mr. President, Congress has power over this subject much more ample than is generally supposed. Congress may prescribe that the judges of the Supreme Court or heads of Departments or courts of law may make a great variety of appointments. The provision of the Constitution is that 'Congress may by law vest the appointment of such inferior officers as they think proper in the President alone, in the courts of law, or in the heads of Departments.'"

The motion to reconsider was agreed to as follows:

YEAS—Messrs. Cowan, Davis, Doolittle, Edmunds, Fessenden, Foster, Guthrie, Lane of Kansas, McDougall, Morgan, Nesmith, Norton, Poland, Riddle, Saulsbury, Sherman, Stewart, Van Winkle, Willey, Williams, and Wilson—21.

NAYS—Messrs. Anthony, Chandler, Clark, Conness, Creswell, Harris, Henderson, Howard, Howe, Lane of Indiana, Morrill, Nye, Pomeroy, Ramsey, Sprague, Sumner, Trumbull, and Wade—18.



A motion was now made and passed to strike out the last clause of the amendment; whereupon Mr. Trumbull offered as amendment to the amendment his original proposition, which was as follows:

*Sec. — And be it further enacted,* That no person exercising or performing, or undertaking to exercise or perform, the duties of any office which by law is required to be filled by the advice and consent of the Senate, shall before confirmation by the Senate receive any salary or compensation for his services, unless such person be commissioned by the President to fill up a vacancy which has happened by death, resignation, or expiration of term, during the recess of the Senate and since its last adjournment.

This was agreed to. An extended debate now ensued on the policy of the Administration, etc., in which Messrs. Wilson of Massachusetts, Cowan of Pennsylvania, Doolittle of Wisconsin, and others engaged. Subsequently the amendment was rejected by the following vote:

**YEAS**—Messrs. Anthony, Chandler, Clark, Harris, Henderson, Howard, Howe, Lane of Indiana, Morrill, Nye, Pomeroy, Ramsey, Sprague, Sumner, Trumbull, and Wade—16.

**NAYS**—Messrs. Buckalew, Cowan, Davis, Dixon, Doolittle, Edmunds, Fessenden, Foster, Guthrie, Johnson, Lane of Kansas, McDougall, Morgan, Nesmith, Norton, Poland, Riddle, Saulsbury, Sherman, Stewart, Van Winkle, Willey, and Wilson—23.

**ABSENT**—Messrs. Brown, Conness, Cragin, Creswell, Grimes, Hendricks, Kirkwood, Williams, Wright, and Yates—10.

In the House, on May 7th, Mr. Julian, of Indiana, offered the following resolution:

*Resolved,* That the Judiciary Committee be instructed to inquire into the expediency of reporting a bill providing that hereafter the elective franchise shall not be denied or abridged in any of the Territories of the United States on account of race or color; and providing further, and thereby giving notice of the fact, that henceforward no State which the people of any of said Territories may organize shall be admitted into the Union whose constitution shall sanction such denial or abridgment of the elective franchise.

A motion was made to lay it on the table, which was lost by the following vote:

**YEAS**—Messrs. Delos R. Ashley, Boyer, Coffroth, Dawson, Delano, Denison, Eldridge, Finck, Glossbrenner, Grider, Griswold, Aaron Harding, James R. Hubbell, Kerr, Latham, Le Blond, Marshall, Newell, Niblack, Radford, Samuel J. Randall, William H. Randall, Raymond, Rogers, Shanklin, Sitgreaves, Taylor, Thornton, and Whaley—29.

**NAYS**—Messrs. Alley, Allison, Ames, Anderson, James M. Ashley, Baker, Baldwin, Baxter, Beaman, Benjamin, Bidwell, Bingham, Boutwell, Bromwell, Broomall, Buckland, Reader W. Clark, Conkling, Cook, Cullom, Deming, Dixon, Donnelly, Driggs, Dumont, Eckley, Eliot, Farnsworth, Ferry, Garfield, Abner C. Harding, Hart, Henderson, Holmes, Hooper, Asahel W. Hubbard, Jenckes, Julian, Kasson, Ketcham, Lafin, William Lawrence, Longyear, Lynch, McClurg, McKee, McRuer, Mercur, Miller, Morrill, Morris, Myers, O'Neill, Paine, Perham, Pike, Plants, John H. Rice, Rollins, Sawyer, Schenck, Schofield, Stevens, Francis Thomas, Trowbridge, Upson, Van Aernam, Warner, Elihu B. Washburne, Henry D. Washburn, William B. Washburn, Welker, Williams, James F. Wilson, Windom, and Woodbridge—76.

The resolution was then adopted. The session of Congress closed on July 28th. Three hundred and eighteen acts and one hundred and eight resolutions were passed. Those relating to the finances of the Government, taxation, the system of weights and measures, etc., are noticed elsewhere in this volume.

**CONNECTICUT.** The political canvass in this State commenced early in the year, and, from causes unconnected with local questions or issues, assumed toward its close an interest and importance which fixed upon it the attention of the whole country. On February 7th, the Democrats met in convention at Hartford, to nominate candidates for Governor and other State officers. Origen S. Seymour, who had been the candidate of the party for Governor at the two previous elections, declined a renomination; and lest this act should be imputed to a change of views by him, he announced in a letter to the convention that, in his judgment, "the position of the Democratic party on all the great questions of the day was never more satisfactory than at present." "We are all, I take it," he added, "for preserving the Constitution as it is; for healing the wounds of the Union; and for treating every part of our common country with fairness and justice. We are, I suppose, united in opposition to the sectionalism of the party in power—in opposition to the assaults by that party upon the Constitution, and in opposition to the recent outrage by that party, in Congress, upon the sacred right of representation." The convention nominated for Governor, James E. English, who had represented the second Congressional district in the Thirty-seventh and Thirty-eighth Congress, and had voted for the Constitutional Amendment abolishing slavery; for Lieutenant-Governor, Ephraim H. Hyde; for Secretary of State, Jesse Olney; for Treasurer, Heman H. Barbour; and for Comptroller, Thomas H. C. Kingsbury. The resolutions adopted by the convention affirmed that Congress possesses no power under the Constitution to determine who shall be eligible to the right of suffrage, and that any attempt to force upon the people of a State a class of inhabitants as citizens and voters is a violation of the spirit and letter of the Constitution, and an infringement of State rights; that the States which attempted to secede were never out of the Union, and having recently declared null and void their pretended acts of secession, and expressed their devotion to the Union and the Constitution, are of right entitled to all the privileges and powers of States belonging to and exercised by them previous to their attempted secession; that the late Confederate States, having adopted the amendment to the Constitution abolishing slavery, and the Government of the United States having, in consequence, recognized said States, any attempt by Congress to prevent the representation of such States in the national councils is "deserving of the severest reprehension of the people of each and every State;" and that "the distinguished



citizen now occupying the presidential chair, by his earnest efforts for the restoration of the Union upon its proper basis—by his manly and statesmanlike position in opposition to negro suffrage—by his resistance to the insane and unwise efforts of a Congressional majority, who seek to destroy the Constitution of our fathers by mischievous amendments—has deserved well of his country; and a courageous perseverance in the course so taken will place the name of Andrew Johnson high upon the roll of renown, and second to none of the great statesmen who have illustrated the annals of the Union.”

The Republican State Convention met at Hartford on February 14th. It numbered over four hundred delegates, comprising a large number of the leading men of the party, and was distinguished by harmony and ability. William A. Buckingham, who had been the Republican candidate for Governor for the seven previous years, having declined a renomination, Joseph R. Hawley, late a brigadier-general of volunteers in the United States Army, was nominated for Governor in his stead on the first ballot, and accepted the nomination in a speech to the convention. F. Winchester was then nominated for Lieutenant-Governor; L. E. Pease for Secretary of State; Henry G. Taintor for Treasurer; and Robbins Battell for Comptroller. Among the resolutions adopted was one expressing confidence in the wisdom and patriotism of the Republican majority in Congress, and one heartily approving the recent order of General Terry, approved by the President, for the protection of the freedmen of Virginia against the legislation of that State. The two following expressed the sentiments of the convention respecting Presidents Lincoln and Johnson:

*Resolved*, That we unite our lamentations with those of the nation over the grave of the honest, unflinching, patriotic, and great-hearted Abraham Lincoln, whose name will stand by the side of that of Washington while the Republic endures.

*Resolved*, That we gladly express our confidence in the integrity, ability, and patriotism of his successor, Andrew Johnson, who braved secession in the Senate, and defied armed rebellion in Tennessee; who sprang from the people, and is identified with all their interests; and we do pledge him our hearty support in his labors for a just, complete, and permanent restoration of the Union.

On February 19th, less than a week after the meeting of the Republican Convention, President Johnson returned the Freedmen's Bureau bill to Congress with his veto. Although not wholly unprepared for this act, the party which had elected him, and had hitherto given him its support, was at first uncertain what course to pursue—whether to break with the President, or to endeavor to reconcile the differences between himself and Congress. And in no State was this more noticeable than in Connecticut, where a strong conservative element had always existed in the Republican ranks. The Democrats, on the other hand, avowed themselves heartily in favor of the political views em-

bodied in the President's veto message, and of his whole plan of restoring the Southern States to their relations with the Union. For several weeks after the State canvass commenced, both parties, as represented by their platforms, supported the President's restoration policy, and many of the Republicans who sided with Congress on the Freedmen's Bureau question were inclined to believe that the differences between that body and the Executive were merely differences of opinion as to the best means to be employed in reconstructing the Union, and not as to the end to be attained, and could eventually be reconciled. Others, however, were prepared, if necessary, to break with the President, should a reconciliation prove to be impossible. Under these circumstances the election began gradually to assume an importance which lifted it from the arena of local politics. The success of the Democratic ticket, it was supposed, would indicate an unqualified approval by the people of Connecticut of the Executive policy, while the return of the Republican candidates would leave the issue undecided.

Rumors meanwhile began to be circulated that the President would throw the weight of his influence in favor of Mr. English, the Democratic candidate, and would require all Connecticut officeholders to vote for him. This was denied by Mr. Johnson in an interview with a delegation of Connecticut Republicans, headed by General Hawley, in which he also said that, though by no means desirous to interfere with the local elections of any State, he would be pleased, in the present instance, to see his political friends successful. Equally strong evidence respecting the President's sympathies was afforded by James F. Babcock, Collector of New Haven, and an intimate personal friend, who, on hearing the rumor that Federal officeholders would be expected to vote for English, went to Washington, and sought an interview with Mr. Johnson. “I told him,” he observed in a speech delivered at a public meeting in New Haven shortly afterward, “if this rumor were true, I must, of necessity, resign my position, feeling it incompatible with honor to retain it under such a condition. This statement the President assured me was totally false. Instead of demanding votes for Mr. English, he was opposed to his election, because he represented the principles of the party which had opposed the nation in its struggle for self-preservation.” The following communication, addressed by Mr. Babcock and another citizen of Connecticut to the *Washington Chronicle*, may be considered to represent the views of a considerable number of the party with which they were affiliated:

WASHINGTON CITY, March 22, 1866.

In an editorial article of the *Chronicle* of this morning, we understand you to favor the idea that the result of the New Hampshire election is in some respects a verdict against the Union policy of President Johnson, and an approval of the action of Congress, so far as that action is at variance with the desires of the President; and you also intimate, as we understand you, that the election of General Hawley in



Connecticut may be justly interpreted in the same way.

If this be your meaning, we beg leave to say, in advance, that such an inference and such a use of the election of General Hawley would be a gross perversion of the truth, and wholly contrary to the assurances publicly and privately given by General Hawley, who, it is admitted, could not be elected but by the aid of the friends of the President and his policy.

Yet we do not claim that this policy is involved in the issue of this election, and we therefore protest in advance against any such inference; and if such a use is made of that election, we assure you that the effect will be injurious to the Union organization.

The question may be asked why the Conservatives of Connecticut do not act with the other organization which has unreservedly avowed its support to the President's policy? Our answer is, that we have more confidence in the men who have proved their loyalty on the fields of battle, and by their efforts to sustain the Government in the darkest periods of the war, than in those who sought to discourage enlistments, destroy the credit of the Government, and give aid and comfort to the rebels; and whom we cannot trust with their cheap professions, even though they head their ticket with a gentleman whose war record is not so objectionable, but whose accommodating temper is such that he allows himself to be used to advance the interest of a party whose loyalty was tried and found wanting.

We are also firm in our belief that the President prefers to settle this contest inside of the Union party, giving those of the opposite side who are sincere in their professions the opportunity of throwing their strength where it most properly belongs, namely, into that portion of the Union party which is confessedly in harmony with their views.

JAMES F. BABCOCK,  
F. W. SMITH, Jr.

The Democrats were not less desirous than their opponents to obtain an expression of opinion from the President respecting the State election, and on March 23d, a delegation of the party, consisting of A. E. Burr and C. M. Ingersoll, had a long interview with him, of which, on the succeeding day, they published an account in the newspapers. From their statement it appears that the President complained that his remarks had not been correctly reported by the Republican delegation which had recently visited him. He desired, he said, the success of the Union party, meaning by the Union party at that time the party which supported his Union restoration policy, and no others. Those who opposed his policy he regarded as not belonging to that party, and upon the success of his policy, he said, depended the welfare of the Union. The following passages from the report of Messrs. Burr and Ingersoll, further illustrate the views of Mr. Johnson:

The President then remarked that Messrs. Owen and Griswold [of the Republican delegation] should have reported him as saying that he was the friend of those who supported his policy, and the opponent of those who oppose it. "The question," said he, "of my restoration policy is now the paramount question, and all who oppose it are my opponents."

We assured the President that if those gentlemen had so telegraphed his remarks, we should not have been here this evening.

The President then said: "The principles of my restoration policy are fundamental. No man can approve of my policy and that of Congress at the same time. That is impossible." In New Hampshire it was claimed that both policies were supported, which,

of course, could not be; but after the election it was claimed that a radical victory had been achieved. He trusted the people would not now be deceived.

At that interview the following letter from E. S. Cleveland, postmaster at Hartford, and recently a member of the Republican party, was communicated to the President:

POST-OFFICE, HARTFORD, CONN., March 22, 1866.

To President Johnson:

SIR: I am now engaged in publicly advocating the election of James E. English as candidate for Governor of Connecticut—a gentleman who is openly committed to the support of your veto, to the defence of your 22d of February speech, and of your policy of restoration in opposition to the disunionists of Connecticut.

I am opposing the election of General Joseph R. Hawley, who openly disapproved of your veto and of your 22d of February speech, and declines to support your policy as opposed to the radical majority in Congress. If my political action is not satisfactory to you, I beg you to receive my resignation as postmaster of this city.

I have the honor to be, your obedient servant,  
E. S. CLEVELAND.

This was immediately returned to Messrs. Burr and Ingersoll, with the following indorsement:

EXECUTIVE MANSION, March 23, 1866.

Your political action in upholding my measures and policy is approved. Your resignation is, therefore, not accepted, but is herewith returned.

ANDREW JOHNSON.

From the middle of March the interest in the election was greatly enhanced, and it soon became the absorbing topic of discussion or conversation throughout the State. Both parties sought the services of their most effective speakers from all parts of the country, and a more thorough canvass of a State was probably never attempted. Connecticut, politically speaking, had for a number of years been classed among the doubtful States; for, notwithstanding she had annually been carried by the Republicans since the formation of that party, the majority was often very small in proportion to the total vote. In the present instance the result seemed more than ever involved in doubt. At the presidential election of 1864 the majority for Lincoln did not reach 2,500 in a total vote of nearly 87,000; and although in 1865 Governor Buckingham had a majority of over 11,000, there was no relative increase of the Republican vote, while the total vote was upward of 13,000 less than in the previous year. As the day of election (April 2d) approached, the current of opinion in the Republican party was observed to tend more strongly toward the views of reconstruction held by Congress, though many voters still wavered between the Congressional and the Executive policy. On March 15th the Civil Rights Bill, having passed both Houses of Congress, was sent to the President for his approval. Almost immediately rumors of another veto became prevalent, which were verified on the 27th by the return of the bill to Congress without the Executive approval. This act seemed for the moment almost to demoralize the Republican party in Connecticut. But six days



intervened before the election, and in that time Congress took no action upon the veto by which party movements could be controlled, nor was any opportunity afforded for consultation among the leaders. The act of the President was, however, considered to have practically severed his relations with the Republican party, and it was believed that the election of Hawley would, under the circumstances indicate that the Executive policy was distasteful to the people of Connecticut. During these last six days of the canvass the efforts of either party to bring out their full strength were redoubled, and, amidst almost unparalleled excitement, the election took place with the following result:

COUNTIES.	GOVERNOR, 1866.		PRESIDENT, 1864.	
	REP.	DEM.	REP.	DEM.
	Hawley.	English.	Lincoln.	McClellan.
Hartford.....	8,618	8,937	8,693	8,683
New Haven....	8,630	10,784	8,761	9,638
New London...	5,610	4,607	5,662	4,919
Fairfield.....	7,094	7,337	7,368	7,193
Windham.....	3,566	2,144	3,668	2,173
Litchfield.....	4,771	4,653	4,998	4,423
Tolland.....	2,479	2,032	2,430	2,152
Middlesex.....	3,206	2,989	3,113	3,107
Total.....	43,974	43,433	44,693	42,288
Maj. for Hawley, 541.			For Lincoln, 2,405	

The total vote, 87,407, was the largest ever cast in the State, being 426 in excess of that of 1864, and 13,690 larger than the vote for Governor in 1865. The Republican vote was 719 less than that of 1864, and the Democratic vote 1,145 greater, showing a net gain to the latter of 1,864 votes. The Republican candidate for Lieutenant-Governor received a majority several hundred higher than General Hawley, and the remaining candidates of the party were elected by majorities of 1,200 and upward. The average Republican majority was therefore about 1,000. The political complexion of the Legislature, returned at the same election, was as follows:

	Senate.	House.	Joint ballot.
Republicans.....	13	141	154
Democrats.....	8	95	103
Rep. maj.....	5	46	51

The Legislature convened on May 2d, and was organized by the choice of John T. Wait as president *pro tem.* of the Senate, and David Gallup as Speaker of the House of Representatives. On the same day Governor Hawley and the other State officers elect were inducted into office. In his inaugural address, Governor Hawley entered somewhat fully into national affairs, declaring that, though the nation looked forward with impatience to the time when all the late insurgent States should be restored to their relations with the Union, it would never consent that any but loyal men should receive its favor, or sit among its rulers. "When States declare themselves," he said, "out of the Union,

and bring their citizens with great unanimity to make desperate war during four years upon the republic, and then failing only through lack of physical force, declare themselves in the Union, truly devoted to its principles and entitled immediately to the exercise and enjoyment of all their previous powers and rights, we may and do give honorable heed to their words; but it is the nation's right and duty to examine fully the new organization of those States, learn the purposes of the new rulers thereof, and test the whole by the legislative action they take, and by the security and happiness enjoyed by the steadfastly and unquestionably loyal among them. \* \* \* The war having been a success, we must affirm that it effected the destruction of slavery in fact as well as in name, the abandonment, as a rule of action, of the perpetually disorganizing doctrine of secession, security against any taxation to pay debts contracted in aid of treason, and full protection, safety, and honor everywhere for the rights of all loyal citizens, without distinction of race or color. These things were fairly won; they look to security for the future, and are not a part of any idle claim to indemnity for the past; they are not selfishly sought for a class or a party, but demanded for all mankind; and they are essential to the success and glory of a Christian democratic government."

Governor Buckingham, upon retiring from office, after seven years' tenure of the gubernatorial chair, sent a valedictory message to the Legislature, giving some account of the expenditures of the State during the war, and of the means taken to settle the outstanding claims against the General Government. He declined to accept the sum of \$3,000, voted to him by a previous Legislature, in consideration of extra personal services rendered by him during the war. He took strong grounds against President Johnson's policy of reconstruction, urging that the reorganized governments of the rebel States should secure to every citizen equal rights and equal protection before the law, and that these governments should be administered in such a manner as to give liberty to each member of the body politic in accordance with the advancing spirit of Christian civilization.

The Legislature adjourned on June 30th, after a session of fifty-nine days, which was fourteen days longer than that prescribed by law, during which the members are entitled to receive pay. On May 23d, Orris S. Ferry, late a brigadier-general of volunteers, was elected a United States Senator, to succeed Lafayette S. Foster, whose term would expire on March 4, 1867. The chief competitors of General Ferry, in the Republican caucus, were Senator Foster and Governor Buckingham. On June 25th the Constitutional Amendment, adopted by Congress, was ratified by the Senate of Connecticut by a vote of eleven to six, and on the 27th by the House of Representatives, by a vote of one hundred and twenty-five to eighty-eight. The vote was a party one in both branches of the



Legislature. The Democrats opposed the amendment on grounds of expediency and policy, and contended that Congress was powerless to change the Constitution during the enforced exclusion of certain Representatives from Congress. This view was repelled by the Republicans, who held that Congress has against conquered rebels all the powers of conquest.

Among the bills passed was one empowering the voters of any town to consolidate the school districts of such town into one, and appoint a committee to manage them. The towns were also required to raise a tax of four-tenths of a mill for school purposes instead of three-tenths, the rate previously established. Bills were also passed legalizing eight per cent. interest on money contracts, appropriating \$10,000 in aid of a homœopathic hospital, to be paid when an equal amount shall be expended upon it by the friends of that practice; and chartering new lines of railroad. Among the latter was a bill for a branch line from Salisbury, to connect the Harlem and Housatonic roads. Resolutions were adopted appointing a commission to report to the next Legislature the opinions of the city authorities of Hartford and New Haven upon the subject of accepting the present State-houses in those cities, and building new ones; and proposing an amendment to the constitution providing for one capital, to be selected by a plurality vote of the people. A bill prescribing that "eight hours of labor, done and performed in the day by any one person, shall be a lawful day's work, unless otherwise agreed by the parties," passed the Senate, but was defeated in the House. A project to construct a bridge for the Shore Line Railroad across the Connecticut River at Lyme, near its mouth, was urged with great persistence, but failed in both Houses toward the close of the session. A bill taxing interest on United States bonds was rejected; also a resolution changing the session of the Legislature to January. The House bill, chartering the Derby and State Line Railroad, to run parallel with the New Haven road, was lost in the Senate. The Governor vetoed two bills, one of which, chartering an Accident Insurance Company at Hartford, was passed over the veto. The other bill, vetoed late in the session, required judges, in case of appeals, to certify to the evidence. The veto was sustained by an almost unanimous vote, and the bill was defeated.

On May 1, 1866, the total State debt amounted to \$10,400,000, of which \$8,206,288 were over and above assets. The taxable property of the State increased from \$231,000,000, in 1860, to \$290,000,000 in 1865, exclusive of money invested in national securities, and the general financial condition was such as to justify the conclusion that the annual expenditures of the State government, including the payment of interest on the debt, can be kept within \$1,000,000. At the present rate of taxation the annual receipts are estimated at \$1,625,000,

which would leave about \$600,000 to be applied to the extinguishment of the debt, in addition to the accumulations of the sinking fund already provided for, which amounted to \$72,000 in 1866.

The school fund, according to the last computation of the State Auditor, amounted to \$2,046,532.23, a part of which is unproductive, and the total revenue from the fund for the year ending April 30, 1866, was \$136,471.94, of which \$130,658 was expended upon the education of 118,780 children, or \$1.10 per child. The increase of children over the previous year was 3,955. "Public education," says Governor Hawley, "received a marked impulse by the important modification of the school laws enacted last year, vesting the supervision of the Normal School, and of the entire system of common schools, in a State Board of Education, and imposing upon the Secretary of the Board the ordinary duties of the Superintendent of Common Schools."

The catalogue of Yale College shows that at the close of 1866, 709 students were attached to that institution, of whom 500 belonged to the undergraduate department, and the remainder followed special courses of theology, medicine, law, philosophy, and the arts. The staff of the college comprises the president, 35 professors, nine tutors, four instructors, a librarian, and a demonstrator of anatomy. The libraries, exclusive of the 2,500 volumes of the Oriental Society, contain 77,500 books, besides a large number of pamphlets. In October, 1866, Mr. George Peabody, of London, made a donation to the college of \$150,000 for the purpose of establishing a Museum of Natural History. Of this sum \$100,000 are to be immediately expended in the erection of a suitable building; \$20,000 are to be invested until a fund of \$100,000 is accumulated, which is to be employed in completing the museum; and \$30,000 are to be devoted to the care of the museum and the increase of its collections; three-sevenths of the sum being devoted to zoology, three-sevenths to geology, and one-seventh to mineralogy.

During the year ending April 1, 1866, 41 banks, with an aggregate capital of \$12,087,930, were organized under the national banking law, in addition to those which had previously taken this course, leaving but eight State banks, with an aggregate capital of \$1,985,920, and a circulation of \$1,275,732. The capital of all the banks of Connecticut, State and national, ninety in number, amounted in April, 1866, to \$26,182,243. On January 1, 1866, there were 51 savings banks in operation, 50 of which reported assets amounting to \$28,891,454.71, and deposits amounting to \$27,319,013.59. The higher rate of interest paid by adjoining States, and especially by the General Government, reduced the deposits \$1,823,274.99 during the past year, and gradually led the trustees to invest more than a quarter of the whole in national bonds.



The State charities were at the date of the last report in good condition, and contained inmates as follows: Deaf and Dumb Asylum, 35 (State beneficiaries); Retreat for the Insane, 200; School for Imbeciles, 42. Forty-two children had by April, 1866, been received into Fitch's Home, an institution established at Darien by Benjamin Fitch of that place, for the reception and education of "disabled soldiers, and orphans of soldiers who have lost their lives in defence of the country." The number of inmates of the State Prison was 195, of whom 130 were received during the year. More than half of these are natives of the United States. Seventeen of the convicts are serving life sentences. The commitments to the county jails during the year amounted to 1,576, and the number of prisoners in all the jails on April 1, 1866, was 216.

The Adjutant-General's report shows that under all the calls for troops, except that of December, 1864, for which no assignment was ever received by the State authorities, Connecticut was required to furnish a total number of 47,622 men. The State actually furnished 54,882 men for different terms of service; or, computed on a basis of three years' service, 48,181 men of all arms. The total quota, reduced to a three years' standard, amounts to 41,483, and the State had thus a surplus of 6,698 men over all calls, without reference to her quota under the call of December, 1864. From the table of casualties to the Connecticut volunteer force, it appears that 5,626 officers and men were killed in action, died of wounds or disease, or were never accounted for; that two officers and 6,281 men deserted the service, and that 27 men were executed for various crimes. The last body of State troops in the national service was the Thirteenth Veteran Battalion, which was mustered out in April, 1866, at Savannah. The claims of the State against the General Government, arising out of the war, amounted at the time of Governor Hawley's inauguration to \$1,948,688.79, of which \$216,581.56 had been rejected, and \$75,805.95 was still pending. The organized militia force consisted of 38 companies of infantry, one light battery, two sections of batteries, and two batteries drilling as infantry, forming an aggregate of 3,461 officers and men, which showed an increase of 1,485 over returns for the previous year. Uniforms for the militia were supplied by the State at a cost of \$74,532.54, and \$20,000 were expended for camp equipage. Very little of the quartermaster's stores accumulated during the war has been disposed of.

The record of births, marriages, and deaths, in Connecticut, prepared by the State librarian, shows that in 1865 there were 10,202 registered births, or 468 more than in the previous year, and that the excess of births over deaths was 2,252, or ten less than in 1862. This result was not in accordance with the expectation of those interested in vital statistics, as the number of marriages in 1864 had been greater than in the

eight previous years. The excess of males born over females was 9.31 per cent., and 93 cases of births of illegitimate children were reported. The births of colored children numbered 119 against 133 for 1864, and 174 for 1863. The marriages numbered 4,460, or 353 more than in 1864. There were 7,950 deaths, or 1,159 less than were registered in 1864. Of this number 4,069 were males, and 3,795 females, or 107.22 males to 100 females—a ratio which will probably diminish now that the war is over. The principal causes of death were consumption, 1,108; typhus fever, 548; dysentery, 410; apoplexy, 326; cholera infantum, 321; and diphtheria, 224.

The tobacco crop, which forms an important part of the agricultural products of Connecticut, has proved during the last two years of very inferior quality, the cause of which has not yet been ascertained.

CONOLLY, JOHN, M. D., D. C. L., an English physician, psychologist, and author, born at Market Rasen, Lincolnshire, in 1795, died in Hanwell, March 5, 1866. He was educated at the University of Edinburgh, where he graduated M. D. in 1821. He was for many years consulting physician to the Hanwell Lunatic Asylum, and of the Asylum for Idiots at Earlswood, and it is principally due to his teaching and example that kindness and solicitude in the treatment of those afflicted with mental maladies have taken the place of harshness and force, thus mitigating the sufferings of the patients, and affording a better chance for recovery. He was a man of deep feeling, and was thoroughly enthusiastic in this department of his profession. His advocacy of the humane or non-restraint system of treatment of the insane; his adoption of the system in its fullest extent in the largest asylum in England, in 1839, under his own personal care and responsibility, and his many and most important works on the subject, have long placed his name in the foremost ranks of the benefactors of the human race. Dr. Conolly took an interest in the efforts for the training and instruction of idiotic and imbecile children at a very early day, and by his writings and personal labors did much to call the attention of the medical profession and the public to the necessity of establishing special schools for their education. He invited Dr. Guggenbühl to England; examined in person the institution for Cretins at Interlachen, and the schools of Seguin and Voisin in Paris, and succeeded in creating such an interest in the matter in England as to lead to the establishment of the temporary school for idiots at Colchester, and subsequently of the Royal Asylum for Idiots at Surrey, of both which he was an active manager. In addition to his profound medical studies, Dr. Conolly was gifted with unusual literary abilities, and his works are not less remarkable for the charm and elegance of the style than for his masterly treatment of the subjects to which they relate. Among his most prominent works may be mentioned, "An In-



quiry Concerning the Indications of Insanity;" "The Construction and Government of Lunatic Asylums;" and extensive contributions on this class of subjects to the "Cyclopædia of Practical Medicine," the "Transactions of the Provincial Medical and Surgical Association," and to the "Lancet," and "British and Foreign Medical Review."

COREA, a dependency of China, which, in 1866, became noted for a French expedition against it. It is an extensive peninsula, bounded east by the Sea of Japan, south by the Strait of Corea, and west by the Whanghai or Yellow Sea and the Gulf of Leaotong. It is governed by a king, who, though tributary to China, exercises virtually an absolute power. The prevailing religion is Boodhism. Confucius also has many followers. Area, about 87,550 English square miles; the population, according to a census of 1793, was 7,342,361, and is now estimated at 9,000,000. In February, 1866, two Roman Catholic bishops and seven priests, all natives of France, were put to death by order of the king, for preaching a forbidden religion. Three others succeeded in concealing themselves, and one of them arrived at Chefoo in a Corean junk, having been sent by the other two to communicate the sad intelligence. The escaped missionary asserted that there were fifty thousand Christian converts in the Corea, and that great consternation was produced among them by the compulsory renunciation of their faith, of the destruction of books and dictionaries, and of the sacred vessels of the priests. He proceeded to Peking, to invoke the aid of the French ambassador. A preparatory expedition was dispatched to explore the river, on which is situated the capital, Sayool, about sixty miles above its embouchure. The river was found to have a current of five miles an hour, and to be navigable without much difficulty as far as Konghoa, forty miles from its mouth; gunboats were able to ascend twenty-six miles higher up—to within sight of the wall of the royal city, Sayool—but with difficulty, owing to shoals, rocks, abrupt curves, and the rapidity of the current by which the explorers were several times brought to a stand. Stone forts of rude construction were met with, on which useless guns were mounted. Military officers there first presented themselves, who were on the eve of obstructing the progress of the French by sinking a fleet of junks, but relinquished their object as soon as the gunboat sent a shot among them. Mandarins then came on board and presented the French with presents of provisions—a fat ox among other things—and requested the French to withdraw, which they did, after taking drawings, soundings, and plans. On their return down the river they were fired upon from several points, but in each instance a few shots seemed to disperse the timid Coreans, access to whose strongholds thus for the first time became known to the outer world. The squadron then returned to the Chinese port of Chefoo, from whence it had

sailed. On the 11th of October Admiral Roze again set sail for Corea, this time prepared to inflict punishment. His fleet consisted of seven vessels, having on board four hundred riflemen. Three days' easy steaming brought him to the coast of the peninsula. The gunboats of the expedition proceeded up the river, taking position before eleven forts, which proved to be without defenders. There was no movement of any kind in the forts, and not a soul in the way of garrison was visible, although the muzzles of guns could be seen in the embrasures. On the following day the fleet ascended higher, and landed the riflemen without encountering resistance, although they were ready to fire. They entered a village which was wholly deserted; the inhabitants in their flight had taken with them their portable valuables, leaving in their houses furniture, clothing, and a quantity of provisions. A number of muskets, gingals, some bows and cannon, and a powder magazine, were the useless trophies, together with poultry, pigs, and vegetables, which were useful.

Next morning, October 15th, the riflemen advanced three miles higher, which brought them to the city of Konghoa, which is situated on an island, and regarded by the natives as one of their strongest places, but which the French found wholly indefensible.

Captain D'Orzery went into the city to dislodge a firing party which was posted on the ramparts at a distance of over 1,800 yards, but who fired too high for effect. The fire was returned by the French riflemen, when the garrison fled, and sought refuge in an archway of one of the city gates, from which they were driven, when the gate was forced with axes. The captain did not care to retain possession of the city, although eighty men would have proved a sufficient garrison for its defence. After surveying the place and burning the defences of the gates, he retired to the river banks, carrying with him a flag which was seized on the walls. No Frenchman was wounded, and only three Coreans were killed. On the 16th the admiral entered Konghoa, and found that the inhabitants had all fled to the hills during the previous night, taking with them all that they could carry. A few persons were taken prisoners, who stated that the mandarins, on quitting, had directed the inhabitants to leave also. The French soldiers scattered over the city, and took some bed-covers, pigs, fowls, and like curiosities. The officers penetrated the public offices, and swords, arrows, and other weapons, and at last the government chest, were discovered, containing 190,000 francs in silver ingots, carefully wrapped up in paper. One company garrisoned the city, the remainder returning to the headquarters on the banks of the river. Konghoa is described as a small, poor, and filthy city, of about 10,000 inhabitants. The fortifications were utterly insignificant. The success of the French brought out the Christians of the neighborhood. Before the capture of that city a mandarin waited on Ad-



miral Roze and boldly vindicated the course of the Korean Government in killing missionaries; he was abruptly dismissed, and not well pleased with the reception accorded to him. On the second day after the capture a dispatch was received, written in Chinese, from the viceroy and military commandant of Corea, who wrote in behalf of the king. The contents were vague and diffuse, and treated at great length of the punishment which had befallen the late missionaries, concluding by a request to the admiral to come up to the capital and enter into negotiations. The admiral in reply extolled the missionaries and laid down his claims, which were, the punishment of the three principal ministers who instigated the execution of the missionaries, and that an officer invested with full powers be sent to treat with him.

A few days later a convert brought intelligence that a Korean army, 15,000 strong, was advancing from the capital to attack the French, and that stone-laden junks had been sunk in the river to obstruct the passage of the men-of-war. Dates from Hong-Kong, December 1st, stated that the French expedition had been beaten off at Konghoa, with the loss of forty-five men, and that the fleet had returned to Shanghai.

It was also reported that, in October, the American schooner, General Sherman, had been

seized by pirates in the river leading to the capital. They set fire to the vessel after tying to the masts the crew and two English passengers, all of whom perished.

COSTA RICA. (*See CENTRAL AMERICA.*)

COTTON. The product of this great staple in the United States has been large, notwithstanding the disasters of the war. The receipts at the various seaports, which furnish the only means for estimating the crop, were, during the twelve months ending September 1, 1866, the close of the cotton year, about 2,241,222 bales. The receipts since the close of the war to September 1, 1865, were 421,000, making an aggregate to the close of the last cotton year of 2,662,222 bales. Various estimates have been made of the amount of the old crop in the South not brought forward at that date. By some it has been put at 150,000 bales, which would make the grand aggregate of the cotton supply of the Southern States since the close of the war to September 1, 1866, about 2,812,222 bales. The following table shows the amount of bales received at the respective places named during the year ending September 1, 1866, the amount exported to foreign countries, and the balance on hand at those places, after deducting the coastwise export, together with the exports for the year 1860-'61:

RECEIPTS AND EXPORTS OF COTTON (BALES) FROM SEPT. 1, 1865, TO SEPT. 1, 1866, AND STOCKS AT LATTER DATE.

PORTS.	Received.	EXPORTS.				Exports in 1860-'66.	Stocks, Sept. 1, 1866.
		Great Britain.	France.	Other foreign.	Total.		
New Orleans.....	711,629	358,878	134,510	22,800	516,188	1,783,673	102,082
Mobile.....	429,102	229,171	40,184	1,579	270,934	456,421	29,009
Charleston.....	110,761	46,952	6,050	822	53,824	214,388	5,535
Savannah.....	265,026	91,413	1,492	.....	92,905	302,187	8,144
Texas.....	175,065	59,435	1,739	3,214	64,388	63,209	7,605
New York*.....	234,461	413,927	38,618	42,917	495,462	248,049	88,642
Florida.....	149,432	37,977	.....	.....	37,977	28,073	162
North Carolina....	64,653	21	.....	.....	21	195	.....
Virginia.....	39,093	.....	.....	.....	.....	810	.....
Boston.....	.....	11,759	.....	255	12,014	23,225	.....
Philadelphia.....	.....	2,035	.....	.....	2,035	3,793	146,000
Baltimore.....	.....	6,709	.....	.....	6,709	3,545	.....
Other ports†.....	62,000	.....	.....	.....	.....	.....	.....
Total.....	2,241,222	1,258,277	222,593	71,817	1,552,457	3,127,568	281,179

Thus it appears that the exports from all the ports for the year were 1,552,457 bales. If these bales are estimated to weigh on an average 400 lbs., the value in gold of the cotton exports of the year exceeded \$230,000,000.

The average annual increase of the crop during the forty years preceding the war was four and a fraction per cent. If there had been no war, and this rate of increase had continued, the crop of 1865-'66 would have been 4,916,000 bales, and for the six years from 1861 to 1866 inclusive, 26,714,000 bales.

The statements made relative to the efficiency

\* These are the shipments from Tennessee, Kentucky, &c., not otherwise counted.

† Estimated.

‡ The receipts included under this head are the estimated amount manufactured in Virginia, the West, &c., together with the amount burned in New York.

of free negro labor were somewhat discordant. The first trials made after the war were highly discouraging. But the modifications in the system made by planters, with a favorable co-operation of the Freedmen's Bureau, led to better fruits than were anticipated. In some parts of the Southern States no such indications existed. It was thus concluded that with general favorable indications the crop for 1866-'67 would be larger than the previous one, although some sections would not produce one-third or one-fourth of the ordinary yield. The high price of the staple, however, presents an extraordinary stimulus to exertion, and will have a favorable influence on the result.

The following are the comparative prices of midland cotton at New Orleans on the first day of each month during a period of five years:



	1865-'66.	1864-'65.	1863-'64.	1862-'63.	1861-'62.
	Cents.	Cents.	Cents.	Cents.	Cents.
September.....	42 to —	— to —	— to —	— to —	9 to 10
October.....	44 to 45	161 to 163	62 to 68	— to —	8½ to 9
November.....	55 to 56	119 to 120	65 to 73	— to 64	9 to 9½
December.....	50 to 51	127 to 128	71 to 72	— to 54½	10¾ to 11
January.....	— to 51	118 to 120	72 to 73	— to 53	11 to 11
February.....	48 to 49	68 to 70	76 to 77	— to 62	10 to 11
March.....	— to 46	— to 75	72 to 73	— to 80	11 to —
April.....	40 to 41	— to —	— to 70	— to 72	9½ to 10½
May.....	36 to —	35 to 36	82 to 83	— to 60	— to —
June.....	38 to 39	42 to 43	92 to 93	— to —	— to —
July.....	36 to 38	40 to —	— to 160	— to —	— to —
August.....	— to —	42 to 44	160 to 163	— to 53	— to —

On February 23d, orders were issued from the Treasury Department to close up all agencies for the seizure of cotton or other property belonging to the late Confederate States Government, and to settle up all accounts at once. But Congress soon after laid a tax of three cents per pound upon all cotton produced. The tendency of this measure was unfavorable to the crop, by the embarrassments caused in its collection, and by burdening it with an additional charge in its competition with the foreign staple. The embarrassments arising under the assessment and collection of the tax caused very serious and extensive complaints. Apprehensions were also awakened of an unfavorable effect from this tax upon the cotton manufactures of the country. These manufactures are practically confined to the consumption of the American staple. Their machinery is not adapted for the use of the short staple of other countries, and, if it were, there would be the necessity of adding to the price paid at Liverpool the cost of transporting the India article here. The Lancashire manufactures of England have a variety of staples to which they can resort rather than pay the tax. By mixing a certain proportion of Eastern cotton with American, they can set off the extra price of

the latter arising out of the tax, and yet on many heavy goods, and on dyed goods especially, produce an article as marketable as though made wholly from Southern cotton. Hence the tendency of the tax would be to divert cotton manufacturing to Lancashire, and to give to English cotton goods the ascendancy over American, not only in foreign countries, but in this market.

It was suggested that if the tax deprived the planter of a profit on his crop, he must necessarily purchase so much less of home products. If one portion of the country suffered, the other could not expect to be prosperous. On a crop of two million bales the tax is thirty millions of dollars, in addition to a personal income tax. The labor of the South might also be diverted from cotton-growing to the cultivation of breadstuffs, of which her broad cotton lands would produce a large surplus and make her a competitor with the West for the foreign markets.

The disturbances in this country have had a very stimulating effect on the culture of cotton in foreign countries. This is shown by the importations into Great Britain, where the importations during the ten months ending October 30th, were as follows:

	1864.	1865.	1866.
From United States.....cwts	117,726	269,215	4,109,960
“ Bahamas and Bermudas..... “	298,374	158,607	6,413
“ Mexico..... “	185,700	303,450	3,145
“ Brazil..... “	279,906	351,630	546,549
“ Turkey..... “	152,377	178,289	84,300
“ Egypt..... “	892,419	1,256,893	785,636
“ British India..... “	3,355,747	3,125,905	4,804,234
“ China..... “	609,136	309,031	34,767
“ Other countries..... “	255,411	362,545	235,267
Total..... “	6,146,796	6,315,565	10,610,271

COMPUTED REAL VALUE OF IMPORTS FOR TEN MONTHS.

	1864.	1865.	1866.
From United States.....	£1,594,489	£1,558,184	£30,424,834
“ Bahamas and Bermudas.....	3,422,227	1,379,306	46,816
“ Mexico.....	2,261,430	2,453,949	28,591
“ Brazil.....	3,373,959	2,670,663	4,147,497
“ Turkey.....	1,565,160	895,879	517,354
“ Egypt.....	11,354,653	8,946,915	6,951,304
“ British India.....	24,862,133	14,181,006	19,012,950
“ China.....	4,945,209	1,449,687	144,640
“ Other countries.....	2,955,006	2,651,766	1,564,136
Total.....	£56,334,266	£36,187,355	£62,838,122



The exports of cotton from Great Britain are about 850,000 cwts. in excess of last year, all importing countries having taken an increased supply. The total for the ten months is 3,-

032,450 cwts. against 2,186,456 cwts. in 1865, and 1,876,040 in 1864. These amounts are thus distributed:

	1864.	1865.	1866.
To Russia, Northern ports.....cwts	220,727	255,742	370,957
" Prussia....."	12,586	36,897	55,597
" Hanover....."	45,500	14,673	5,618
" Hanse Towns....."	439,453	548,098	698,500
" Holland....."	370,765	351,713	477,268
" Other countries....."	787,009	979,333	1,424,510
Total....."	1,876,040	2,186,456	3,032,450

The American consul at Alexandria reports the advance in quantity and value of the cotton exported from the valley of the Nile as follows:

1861..... 60,000,000 lbs. | 1863..... 129,000,000 lbs.  
1862..... 82,000,000 " | 1864..... 174,000,000 "

The increased value of the staple, as exhibited by the custom-house returns of Egypt, was in dollars as follows:

1861..... \$7,154,400 | 1863..... \$46,782,450  
1862..... 24,603,300 | 1864..... 74,213,500

The Chamber of Commerce of New York, in a memorial to Congress relative to the tax on cotton, urged the following facts relative to its cultivation in other countries:

1. That the cotton interests in India, Brazil, and Egypt, have accumulated large capitals from the high prices of the last three years, while our plantations, as a rule, have lost all theirs.

2. That nothing has yet occurred to arrest the extension of cotton production in those countries, and nothing will arrest it short of material and permanent decline in prices hereafter.

3. That in the last five years railroads have been opening to traffic in India, and other means of transportation have been improved; and as the Indian Government guarantees an annual dividend of not less than five per cent. to railway stockholders, we must suppose branch railroads will be made wherever they are likely to pay.

4. That during the four years' famine of United States cotton in Europe, great improvements have been made in the manufacture of yarns and fabrics from India cotton, so that eminent manufacturers, who thought formerly that they could only use American in making their standard fabrics, have found that a mixture of four-fifths India and one-fifth American, or over nine-tenths India and one-tenth American, produced the requisite quality; at least, so it is stated on authority which your committee are forced to respect, without being competent to indorse it.

5. That the expenses in the United States of producing, transporting, and selling at the ports, exclusive of tax, must be estimated this year at not less than thirteen cents per pound in case of a yield of 2,500,000 bales, and about two cents more if the yield is less.

COTTON, Right Rev. GEORGE EDWARD LYNCH, Lord Bishop of Calcutta, and Metropolitan of India and Ceylon, born at Chester, England, October 29, 1832, was accidentally drowned in the Ganges, while disembarking from a steamer, October 6, 1866. When a little more than eleven years of age he entered West-

minster School, and in 1832, Trinity College, Cambridge, as a "Westminster scholar," taking with him a high character for scholarship. Here he studied hard, and was always found in the first class in the examinations, bearing away several prizes. Having taken his degree of A. B. in 1836, he was appointed to a mastership in Rugby School, where he had charge of a boarding-house and a form of fifty boys. Shortly after he was elected to a fellowship at Trinity College, but he did not allow his university life to tear him away from his work at Rugby. About 1841 he succeeded to the mastership of the fifth form, the highest but one. He sympathized with his pupils in not only all their studies, but also in their sports and pleasures, so that the bond of affection between master and pupil was strong and enduring. In 1852 Mr. Cotton was elected head-master of Marlborough College, which was then at a very low ebb, financially and otherwise, but which, under his management, soon rose to a high position among leading public schools. In 1856 he preached the consecration sermon of the present Bishop of London at Whitehall, and in 1858 was nominated to the Metropolitan See of Calcutta, where his high personal character and powers, his strength of mind, and tolerant views, rendered him widely and extensively beloved.

CRAIK, GEORGE LILLIE, LL. D., a Scottish author and belles-lettres writer, born in Fifeshire, in 1798; died in Belfast, Ireland, June 25, 1866. In his fifteenth year he entered the University of St. Andrew's, and passed through the divinity course, though he never applied for a license as a preacher. In 1816 he began the world for himself as a tutor, and was not long after editor of a local paper. From that time his intellectual labors were unceasing. Endowed with a powerful memory, his capacity for work was only equalled by his avidity and delight in its exercise. In 1826 he went to London, delivering on his way a series of lectures on poetry at Glasgow, Dublin, Belfast, and Liverpool. Arriving in London he early became associated with Charles Knight, the publisher, and was a prominent contributor to many of his literary undertakings, especially the "Library of Entertaining Knowledge," began in 1830 by the Society for the Diffusion of



Useful Knowledge. His life was now wholly that of a literary man, whose work lay in the solid sphere of learning and criticism, rather than in the more profitable line of light literature. In 1849 he was appointed professor of English Literature and History at Queen's College, Belfast, whither he removed with his family, and which post he filled with honor until his death. In 1859 and 1862 he was appointed examiner of the Indian civil service, and in this capacity made frequent visits to London. While delivering one of his lectures at the college, a few months since, he was stricken with paralysis, from which he only temporarily recovered. Among his works may be mentioned his "Pursuit of Knowledge under Difficulties," for the Library of Entertaining Knowledge, the "Pictorial History of England," "Sketches of Literature and Learning in England, from the Norman Conquest to the Accession of Elizabeth," "History of British Commerce," "Spenser and his Poetry," "The English of Shakespeare," and "The Romance of the Peerage." He also wrote a valuable pamphlet on the "Representation of Minorities," a subject upon which he had bestowed much thought. One of his latest important works was a "History of the English Language and Literature."

CRETE. (See CANDIA.)

CUMMING, ROUALEYN GEORGE GORDON, a Scottish sportsman and author, known as the African Lion Hunter, born in Scotland, March, 1820, died at Fort Augustus, Inverness-shire, March 24, 1866. He was the second son of Sir William Gordon Gordon Cumming of Gordonstone, and from an early age had abundant experience in deer-stalking in the Highlands. He was trained for the military service, became an officer in the Madras Cavalry, and in the Cape Mounted Rifles, and, leaving the army in 1843, soon brought his daring and courage into more exciting exercise by joining hunting expeditions into the South of Africa. An account of these adventures he gave to the public in his "Hunter's Life in South Africa," published in London, in 1850, and republished in the United States. In 1851 he first exhibited the trophies of his skill and daring at the Great Exhibition in London, and since that period had shown the collection in different parts of the country. His profits from the sale of skins, tusks, &c., have been very large. Though well deserving the title of "The Mighty Hunter," some of his accounts of personal encounters with the fierce and blood-thirsty denizens of the forest are considered somewhat exaggerated. For the last eight years he had located himself at Fort Augustus, where his museum of curiosities formed a source of attraction to passengers by the route of the Caledonian Canal. In person Mr. Cumming was remarkable for his great height and massive symmetry of build, with handsome Highland features and the eye of an eagle; he was physically a king of men.

CUMMINGS, JEREMIAH W., D. D., a Roman Catholic clergyman and author, pastor of St. Stephen's Roman Catholic Church in New York City, born in Washington, D. C., April 5, 1823; died in New York City, January 4, 1866. He was of Irish descent, his ancestors having emigrated to this country in 1782. He was early destined to the church, and having pursued his preliminary studies in Washington and Georgetown College, he proceeded to Rome, where he studied for fourteen years in the College of the Propaganda, and graduated with high honors. On his return to the United States in 1848 he was at first attached to the Cathedral in Mulberry Street, but in 1856 he built St. Stephen's Church in East Twenty-eighth Street, of which he continued to be the pastor until his death. He was a profound scholar, especially in the classics and belles lettres, and cultivated literature with greater zeal and success than most of the Catholic clergy; and his eminent attainments caused him to be regarded as an authority in Catholic literature. While taking a leading part in all the Catholic movements in his diocese, he was very social and genial in his intercourse with his Protestant fellow-citizens. He was the author of several works, one, "Italian Legends," published not long after his return from Europe; another, "Spiritual Progress," in 1864. He was a very considerable contributor, in biography and other topics connected with his church, to the "New American Cyclopædia." He took great delight in sacred music, and under his administration the choir of St. Stephen's was not surpassed by any in the city.

CUMMINS, Miss MARIA S., a distinguished author, born in Salem, Mass., about 1834, died at Dorchester, Mass., October 1, 1866. Her literary career commenced in 1853, when her *Lamplighter* was published, and within eight weeks, so great was its popularity, over forty thousand copies were sold, and as it has passed through numerous editions, both in this country and England, its sale has probably exceeded one hundred thousand copies. In 1857 she produced *Mabel Vaughan*, and in 1860 *El Fureidis*, published simultaneously in this country and England. Subsequently she wrote another work, entitled "Haunted Hearts." Her late productions have been chiefly for the "Atlantic Monthly," and "Young Folks." A short time since she prepared a catalogue of books suitable for the Sabbath-school of the Unitarian church, with which she was connected; the result of careful examination upon her part of several hundred volumes. She was a writer of great power; her characters were drawn with skill, and there was always a motive in her productions aside from their general interest. For many years her literary labor had been performed while suffering more or less from ill-health.

CURTIS, Major-General SAMUEL R., U. S. Vols., born in Ohio, February, 1807; died at



Council Bluffs, Iowa, December 26, 1866. He graduated from the U. S. Military Academy at West Point, July 1, 1831, as brevet second lieutenant in the Seventh U. S. Infantry, and resigned his position June 30, 1832, engaging in the profession of civil engineering in his native State from that time to 1837. In this latter year he was made chief engineer of the Muskingum River improvement, and held this position until May, 1839. He also became a counsellor-at-law in Ohio in 1842. He connected himself with the Ohio militia, being first captain and then colonel of a regiment, and finally Adjutant-General of the State. He served during the Mexican war as colonel of the Third regiment of Ohio Volunteers. After the discharge of his regiment he served on the staff of Major (then Brigadier) General John E. Wool, and was made the civil and military governor of Camargo, Monterey, and Saltillo. Upon his return from Mexico he resumed the practice of the law in Missouri and Iowa, until called to the performance of important labors as engineer in improvements of harbors and the construction of railroads. He was elected from Iowa to the House of Representatives of the Thirty-fifth Congress, and reelected to the Thirty-sixth, Thirty-seventh, and Thirty-eighth Congresses. During the Thirty-sixth Congress he served on the Committee on Military Affairs, and in 1861 was a delegate to the Peace Convention. He was also an earnest and able advocate of all schemes for internal improvement, and was chosen president of one of the first national conventions held to consider the expediency of a Pacific Railroad.

When the war broke out he at once ten-

dered his services, and was appointed brigadier-general of volunteers in the first list sent to the Senate. Assigned to duty at St. Louis, he first took charge of the large camp of rendezvous and instruction near that city. Succeeding to the command of the Department of Missouri, he became distinguished in 1862 by winning a decisive victory at Pea Ridge over the invading forces of the rebels. He was also engaged in several minor operations which he conducted with great ability. General Curtis was subsequently appointed commander of the Department of "Kansas and the Territories," and of the Department of the Northwest, the latter of which he held until he received his appointment as railroad commissioner for inspecting the Union Pacific Railroad, when he was mustered out of his rank as major-general of volunteers. General Curtis was a brave and gallant soldier, and faithfully discharged the duties of the various posts to which he was called.

CUTLER, Major-General LYSANDER, U. S. Vols., born in Maine, about 1806, died in Milwaukee, Wis., July 30, 1866. Having had some military training, he offered his services to the Government when the war broke out, and was given the command of the Sixth Wisconsin regiment, which he speedily brought into a state of discipline, and rendered one of the best in the service. Subsequently he was in command of the Iron Brigade of the Army of the Potomac, to which his regiment was attached, and by his faithfulness and gallantry won the promotion of brigadier, and afterward major-general, proving himself an excellent commander both of brigade and division. He was twice wounded on the field.

## D

DAVIS, EMERSON, D. D., a Congregational clergyman and author, born at Ware, Mass., July 15, 1798; died in Westfield, Mass., June 8, 1866. He graduated at Williams College in the class of 1821, with the highest honors, and was engaged as preceptor of the academy at Westfield for one year; the following year was tutor in the college, and at the expiration of that time engaged as a permanent preceptor of the academy, which position he retained until June 1, 1836, when he was settled as pastor of the First Congregational Church in Westfield, continuing in that service until his death. During the thirty years of his ministry there were but two Sabbaths when he was unable to preach. Through his whole life he manifested a deep interest in common-school education, and was an active member of the school committee of his town. Upon the organization of the State Board of Education he was appointed one of its members. He was also vice-president of the corporation of Williams College. Though a critical and accurate scholar, Dr. Davis made few ventures in authorship. In 1852 he pub-

lished a work of great labor and research, entitled "The Half Century," giving in a condensed form very interesting facts relative to the intellectual, moral, physical, and mechanical progress and discoveries of the first half of the nineteenth century. This work had a large circulation and was reprinted in Great Britain. Aside from this, he published a number of occasional sermons, addresses, educational essays, etc.

DE LA RUE, THOMAS, an eminent English printer, stationer, and promoter of the useful arts, born in Guernsey in 1793, died in Hyde Park, Eng., June 7, 1866. He began his career as a printer, and subsequently made use of his special knowledge of this art in the application of improvements in the manufacture of playing-cards. About 1826 he published the New Testament printed in gold, and on the occasion of Queen Victoria's coronation in 1838, he aided in printing the *Sun* newspaper in gold. Among the various patents he took out, was one for fixing the iridescent colors of thin films. He was well known as a collector of articles of



*virtu* and the possessor of some of the most rare specimens of Wedgwood ware, being one of the first to stimulate the collection of this beautiful ware by his early appreciation of its intrinsic and artistic merits. Few, indeed, have done more for the promotion of the arts connected with his pursuits than Mr. De La Rue. He was one of the deputy chairmen in the London Exhibition of 1851, and, in the Universal Exhibition of Paris, in 1855, was a juror, receiving as an acknowledgment of his services the grand gold medal of honor and the distinction of Knight of the Legion of Honor.

DELAWARE. The election in this State during the year was for the choice of State officers, members of the Legislature, and a member of Congress. It took place on the second Tuesday in November. The total vote cast was 18,408. For Governor, Saulsbury, the Democratic candidate, received 9,810, and James Riddle, the Republican candidate, 8,598. For Congress, J. A. Nicholson, Democrat, received 9,933, and J. L. McKim, Republican, 8,553. The Legislature chosen was divided as follows: Senate—Democrats, 6; Republicans, 3. House—Democrats, 15; Republicans, 6.

The session of the Legislature commences on the first Tuesday of January in each year. The session commencing in January was occupied chiefly with local affairs. After the passage by the Lower House of Congress of the bill granting suffrage to the negroes in the District of Columbia, on January 22d the following resolutions were offered in the lower House of the Legislature, and at once adopted by a strict party vote, as also subsequently in the Senate:

*Resolved*, By the Senate and House of Representatives of the State of Delaware in General Assembly met: That we, the General Assembly of the State of Delaware, do hereby express our unqualified disapprobation of the bill lately passed by the lower House of Congress, now pending before the Senate, conferring upon the negroes of the District of Columbia the right of suffrage, and consider the passage of such a law would be a lasting stigma and disgrace to the free white men of this country, and a sad commentary upon their intelligence.

*Resolved*, Further, That the immutable laws of God have affixed upon the brow of the white races the ineffaceable stamp of superiority, and that all attempt to elevate the negro to a social or political equality of the white man is futile and subversive of the ends and aims for which the American Government was established, and contrary to the doctrines and teachings of the Father of the Republic.

*Resolved*, Further, That, in our opinion, the passage of such a law by Congress is but the key-note of other wrongs and outrages to be hereafter inflicted upon the white people of the States.

*Resolved*, Further, That we tender to the white people of the District of Columbia our deep and sincere sympathy for them in their distress, and denounce the act as a violation of their popular rights recently manifested by an election.

The Republican members voted against the resolutions, regarding it to be "improper for them to pass judgment on Congress for its action." Had the question then related to negro suffrage in the State, the sentiment of the

Legislature, it was believed, would have been unanimous against it.

The State was out of debt at the commencement of the war, but at its close bonds exceeding \$1,000,000 had been issued to meet the calls of the Federal Government for soldiers. The receipts from railroads and other sources had been heretofore sufficient to meet expenditures, with a small surplus. The Governor, in his message, on January 3, 1867, urged upon the Legislature to incur no further debt until the present one was paid, and approved the railroad improvements within the State as works of incalculable benefit. By the interference of the Federal Government the laws of the State proved to be insufficient to punish crime committed by free negroes, and the Governor recommended the sale of this class into slavery as a punishment effecting the most salutary restraint against crime. He also urged the passage of restrictive laws against the immigration of negroes from other portions of the country, who were, with few exceptions, fugitives from justice in other States. His views of the constitutional amendment proposed by the Federal Congress are thus expressed: "Whatever may have been the expectation or object of Congress, the rejection of this amendment is demanded alike by every consideration of justice, patriotism, and humanity."

In the latter part of the year, the judge of the U. S. District Court (Hall) rendered a decision releasing from imprisonment in Fort Delaware four persons who had been arrested, tried, and convicted by the military authorities of the United States in South Carolina, in December, 1865. The prisoners had been found guilty before a court-martial, of which General Devens was president, of having voluntarily aided in the assault made on the United States troops stationed at Brown's Ferry, S. C., in October, 1865. Judge Hall ordered the discharge of the prisoners on a writ of *habeas corpus*, on the ground that the military commission was without jurisdiction in the case; declaring it as his opinion, that the rebellion had ceased in April, 1865; and inasmuch as the President's proclamation, issued in June, appointing a Provisional Governor for South Carolina, ordered "the district judge for the district in which that State is included, to proceed to hold courts," the State was in the exercise of all its civil functions before the issuing of the order for the organization of the commission by which the prisoners had been tried and condemned.

DENMARK, a kingdom of Europe. King Christian IX., born on April 8, 1818, succeeded King Frederick VII. on November 15, 1863. Heir-apparent, Prince Frederick, born June 3, 1843. Area of Denmark Proper, 14,698 English square miles; of the dependencies, Faroe, Iceland, Danish settlements in Greenland, the islands of St. Croix, St. Thomas, St. John, in the West Indies, 40,214 English square miles. Population in Denmark Proper, according to the census of 1860, 1,608,095, and in the de-



pendencies 124,020. The increase of population in Denmark Proper, from 1855 to 1860, was 6.71 per cent. An equal increase from 1860 to 1865 would have swelled the population to 1,701,200 inhabitants. All the inhabitants of Denmark belonged, in 1860, to the Lutheran State Church, with the exception of 12,907, of whom 4,214 were Jews, 1,240 Roman Catholics, 1,761 Reformed, 2,657 Mormons, 2,270 Baptists, 114 Episcopalians, 202 Adherents of the Apostolic, and 142 of the Evangelical Free Lutheran Congregation. The budget for 1866-'67 estimates the receipts at 26,443,996 rix-dollars, and the expenditures at 26,482,113. The public debt, on March 31, 1865, amounted to 132,110,820 rix-dollars. The army consisted, in 1855, of 22,000 infantry, of 3,300 cavalry, of 4,200 artillery, 500 engineers. The fleet, in March, 1866, was composed of three frigates and one floating battery, iron-cased, carrying a total of 44 guns; one steamship of the line, 64 guns; four steam-frigates, with an aggregate armament of 162 guns; three steam-corvettes, with 44 guns; four corvettes, mounting 12 guns; six paddle-wheel vessels, carrying together 38 guns; and seven iron gunboats, with an aggregate of 13 guns. Of sailing vessels, Denmark possesses two ships of the line, of 84 guns each; one frigate, of 48; one corvette, of 20; and one brig, of 16, besides a receiving ship, transports, and a flotilla of row-boats. In addition to the iron-plated vessels enumerated above, one is in progress of construction, with double screws, 360-horse power, and to carry two guns of 300 lbs. The marine force amounted to 1,308 men. The merchant navy consisted, in March, 1865, of 3,079 vessels, having together 74,140 lasts.

The draft of a revision of the State Constitution of 1846 having been deliberated upon in three successive sessions of both the *Rigsrad* (representation for Denmark and Schleswig), and the *Rigsdag* (representation for Denmark Proper), held in 1865 and 1866, the king, in closing the third session of the *Rigsdag*, on July 29th, announced that on that day he had signed the revised constitution, and that it had thus become a law of the land. Schleswig having been separated from Denmark, the new constitution abolishes the *Rigsrad*. The election for a new *Rigsdag*, which took place in June, resulted in strengthening the "peasants' party." In the "Folkething," or Lower Chamber, of 100 members elected 60 belong to it. The new *Rigsdag* was opened on November 12th. The following are the most important points referred to in the speech from the throne: A bill for the dowry of the Princess Dagmar (who, on October 25th, had been betrothed to the heir-apparent of the Russian throne) will be laid before the chambers. By the treaty of peace concluded between Austria and Prussia at Prague, the latter power has undertaken to restore Schleswig to Denmark in so far as the population may by free voting pronounce themselves in favor of such a step.

Although it has not yet taken place, still the text of the treaty and the national direction in which European relations are now being developed are a guaranty that Denmark also shall obtain the natural frontiers necessary for her. This is the object toward which, since the treaty of Vienna, the hopes of the Government have been directed. The justice of these hopes has been recognized by friendly powers, and especially by the Government of the Emperor Napoleon, who has testified a warm interest in Denmark. The Government sees in the proposed settlement of the question a proof of the friendship of Prussia. The king further stated that preparations were being made for the defence of the kingdom, notably with regard to fire-arms, which were being placed upon an improved footing. The questions connected with the finances of the Duchies were mainly settled, and the general financial position of the entire monarchy gave rise to no apprehensions for the future. A report that the United States had demanded permission to construct a naval station at the island of St. Thomas was officially denied by the Danish Government.

DEWEY, Hon. CHARLES A., Judge of the Supreme Court of Massachusetts, born in Williamstown, Mass., in 1793; died at Northampton, Mass., August 22, 1866. He was a son of the late Hon. Daniel Dewey, M. C. from Berkshire in 1813, was educated at Williams College, where he graduated in 1811, and studied law with the distinguished jurist, Theodore Sedgwick, of Stockbridge. After practising his profession in Williamstown from 1815 to 1824, he removed to Northampton and formed a copartnership with a distinguished lawyer of that town. Provision was made by the Legislature, in 1837, for enlarging the number of the judges of the Supreme Court from four to five; and Governor Edward Everett appointed Judge Dewey to the position. For many years there had been a sharp discussion, running through a portion of the press, relating to the constitution of the Supreme Court; the opinion being held by one side that the court was too much inclined in its decisions to favor the Unitarians. Governor Everett fortunately quieted that feeling by the judicious and acceptable appointment of Judge Dewey, who was well known to hold opposite religious opinions. Judge Dewey held his seat through the long period of twenty-nine years. He was ever a working member of the court—always performing, intelligently and well, his full share of its labors, and never avoiding any of its greater responsibilities. Judge Dewey was not what is called a brilliant or showy man; but was distinguished for practical common sense in the consideration of all questions that engaged his attention. With the whole body of statute laws he had great familiarity, as also with mercantile law and the law of charitable trusts, which to some extent engaged the public thought at the time of his appointment. As a judge he was always affable



and courteous to all who were brought into connection with him.

DICK, Prof. WILLIAM, a veterinary surgeon, teacher, and author of works on veterinary science, born in Edinburgh, May, 1793; died in that city, April 4, 1866. He received his medical training at Edinburgh University, and took his diploma as a veterinary surgeon at the London College. In 1818 he founded the Edinburgh Veterinary College, an institution which from the first has enjoyed the highest reputation as a school for that branch of science and practice. In 1823 the college received the patronage of the Highland and Agricultural Society of Scotland, who conferred on him the title of professor. At the public exhibitions of that society his skill was in constant requisition, and as a judge of horses he was probably unrivalled. He had also an extensive acquaintance with all kinds of cattle disease, and on the outbreak of the rinderpest he was called extensively in consultation, and was at once appointed inspector for the County of Edinburgh. Prof. Dick was for a long period secretary and treasurer of the Royal Physical Society. He contributed many valuable papers to the Highland and Agricultural Society's "Transactions," and to the Royal English Society's "Transactions;" also to several sporting journals, and was the author of the article on veterinary science in the seventh edition of the "Encyclopædia Britannica," which has since passed through two editions in book form. His appointments were numerous, and embrace that of veterinary surgeon to the queen, and veterinary inspector to the ports of Leith and Granton.

DICKINSON, HON. DANIEL STEVENS, an American statesman, born in Goshen, Litchfield County, Conn., September 11, 1800; died in New York City, April 12, 1866. He removed with his father's family in 1807 to Chenango County, N. Y., and, with no better advantages for obtaining an education than those derived from common schools, he qualified himself for the duties of a school-teacher at the age of twenty-one years, and, without the aid of an instructor, mastered the Latin language, and became well versed in the higher branches of mathematics and other sciences. In 1822 he married Miss Lydia Knapp, a lady of fine intellectual attainments, and soon after turned his attention to the study of law, was admitted to the bar in 1828, and removing to Binghamton, N. Y., at once entered upon an extensive practice, in which he met and successfully competed with the ablest lawyers of the State. In 1836 he was elected to the State Senate for four years, and, though one of the youngest members and inexperienced in politics, he speedily became the leader of his party—the Democratic Jacksonian. During this time he was also judge of the Court of Errors, and subsequently president of that court. In 1840 he was a candidate for the Lieutenant-Governorship, but was defeated. In 1842 he received the nomination for the same

office, and was elected by a large majority. As Lieutenant-Governor, he was presiding officer of the Senate, which was then a court for the correction of errors, and Mr. Dickinson gave frequent opinions on the grave questions which came before that court for final adjudication, many of which may be found in the law reports of the day.

In 1844 Mr. Dickinson was a State elector of the Democratic party, and as such cast his vote for James K. Polk and George M. Dallas, as President and Vice-President of the United States. At the expiration of his term of office as Lieutenant-Governor, in December, 1844, he was appointed by Governor Bouck to fill a vacancy in the United States Senate, and on the meeting of the Legislature the appointment was not only ratified, but was extended so as to embrace a full term of six years. During the period of his service in the Senate, he took an important part in the debates of that body, and held for a number of years the important position of chairman of the Finance Committee. Upon the exciting questions of the day Mr. Dickinson always adhered to the Conservative side, and advocated non-intervention on all matters relating to slavery. In the National Democratic Convention held at Baltimore in 1852 he received the vote of Virginia for President, but being himself a delegate favoring the nomination of General Cass, he withdrew his own name, in a speech which has been universally commended for its elevated tone and classic beauty of style. In the same year (1852) President Pierce nominated Mr. Dickinson for Collector of the Port of New York, and he was soon after unanimously confirmed by the Senate without reference; but this honorable and lucrative position Mr. Dickinson declined.

At the close of his term in the Senate, Mr. Dickinson returned to the practice of his profession with renewed energy. On the breaking out of the war he indicated his determination to sustain the Government, regardless of all party considerations, and for the first three years he devoted himself to addressing public assemblages on the question of the day, advising his hearers to ignore all party lines and to defend by word, act, and united efforts the laws, the Constitution, and the country. An estimate of the herculean task he imposed on himself may be formed when it is known that during the period referred to he delivered in New York, Pennsylvania, and the New England States over one hundred addresses, each presenting prominent and distinctive features. In the performance of this labor Mr. Dickinson displayed the unlimited resources of his intellect, and enriched the records of American eloquence. On the formation of the Union party in 1861, Mr. Dickinson was nominated for Attorney-General of his State, and was elected by about 100,000 majority. President Lincoln nominated Mr. Dickinson to settle the Oregon boundary question, and the nomination was confirmed, but the po-



sition was declined. In December of the same year, Governor Fenton, learning that Hon. Henry R. Selden's resignation would leave a vacancy in the Court of Appeals, tendered the position to Mr. Dickinson; but this was also declined. One of the last acts of President Lincoln was to tender Mr. Dickinson the office of District Attorney for the Southern District of New York—a post which was accepted, and the duties of which he continued to perform almost up to the day of his death, the last case he was engaged in being that of the United States *vs.* the Meteor and owners.

As a debater, Mr. Dickinson occupied a front rank. In argument, he was clear, profound, and logical, and not unfrequently overwhelmed his opponents with scathing satire. His speeches were embellished by graceful allusions to classic poetry and mythology, and were delivered apparently without effort. As a writer, Mr. Dickinson was not undistinguished, and he occasionally wooed the muse with success, his lyrical effusions possessing a charming purity and simplicity. Socially Mr. Dickinson was one of the most entertaining of companions, abounding in anecdote and reminiscences of his early career; and his genial nature and strong personal attachments, as well as his marked integrity, won him the respect and love of all with whom he came in contact.

**DIPLOMATIC CORRESPONDENCE AND FOREIGN RELATIONS.** *The Monroe Doctrine.*—Mr. Seward, in his letter of June 2, 1866, defines the position of the United States in reference to wars waged by foreign powers against American Governments. He draws a very clear distinction between wars carried on for the gratification of ambition, for the purpose of substituting another form of government, or the desire of conquest, and those originating in the causes which create breaches with friendly powers. The letter is as follows:

DEPARTMENT OF STATE, WASHINGTON, JUNE 2, 1866.

To *Judson Kilpatrick, Envoy Extraordinary and Minister Plenipotentiary:*

SIR: Your dispatch of May 2d, No. 7, has been received. I appreciate your solicitude that the course of proceeding which this Government has pursued in regard to the war between Chili and Spain should be understood and appreciated. Perhaps, however, the difficulty in the way of such appreciation results from the peculiar circumstances of Chili. Her statesmen and people, like the statesmen and people of all countries, may be expected to interpret not only the rights of that republic, but the capacities and duties of other States, in the light of their own interests and wishes.

The policy of the United States in regard to the several Spanish-American States is, or ought to be, well known now, after the exposition it has received during the last five years. We avoid, in all cases, giving encouragement to expectations which, in the varying course of events, we might find ourselves unable to fulfil, and we desire to be known as doing more than we promise, rather than of falling short of our engagements. On the other hand, we maintain and insist, with all the decision and energy compatible with our existing neutrality, that the republican system, which is accepted by the people in any one of those States shall not be wantonly assailed, and

that it shall not be subverted as an end of a lawful war by European powers. We thus give to those republics the moral support of a sincere, liberal, and we think it will appear a useful friendship. We could claim from foreign States no concession to our own political, moral, and material principles, if we should not conform to our own proceedings in the needful intercourse with foreign States to the just rules of the laws of nations. We therefore concede to every nation the right to make peace or war for such causes, other than political or ambitious, as it thinks right and wise. In such wars as are waged between nations which are in friendship with ourselves, if they are not pushed, like the French war in Mexico, to the political point before mentioned, we do not intervene, but remain neutral, conceding nothing to one belligerent that we do not concede to the other, and allowing to one belligerent what we allow to the other.

Every complaint made by the Chilian agents of an attempt on the part of Spain to violate the neutrality of the United States has been carefully and kindly investigated, and we have done the same—no more, no less—in regard to the complaints instituted against the neutrality of the agents of Chili. We certainly thought it was an act of friendship on our part that we obtained assurances from Spain at the beginning, and at the other stages of the present war, that in any event her hostilities against Chili should not be prosecuted beyond the limits which I have before described. We understand ourselves to be now and henceforth ready to hold Spain to this agreement, if, contrary to our present expectations, it should be found necessary. In this we think we are acting a part certainly not unfriendly to Chili. It was thought to be an act of friendship when we used our good offices with both parties to prevent the war. We have thought that we were acting a friendly part, using the same good offices to secure an agreement for peace without dishonor or even damage to Chili.

Those who think that the United States could enter as an ally into every war in which a friendly republican State on this continent became involved, forget that peace is the constant interest and unswerving policy of the United States. They forget the frequency and variety of wars in which our friends in this hemisphere engage themselves, entirely independent of all control or counsel of the United States. We have no armies for the purpose of aggressive war, no ambition for the character of a regulator. Our Constitution is not an imperial one, and does not allow the executive Government to engage in war, except upon the well-considered and deliberate decree of the Congress of the United States.

A Federal Government, consisting of thirty-six equal States, which are in many respects self-governing, cannot easily be committed by its representatives to foreign wars, either of sympathy or of ambition. If there is any one characteristic of the United States which is more marked than any other, it is that they have, from the time of Washington, adhered to the principle of non-intervention, and have perseveringly declined to seek or contract entangling alliances, even with the most friendly States.

It would be pleasant to the United States to know that the Government and people of Chili have come to a correct understanding of our attitude and feeling toward them. Nor do we fear that injurious misapprehensions can long prevail among the enlightened and spirited people of that State.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

The condition of affairs in Mexico and the presence of the French troops in that country, formed during the year the basis of an extended diplomatic correspondence.

Under date of February 12th, Mr. Seward, in



a lengthy communication to the Marquis de Montholon, reviews the position assumed by the United States in protesting against the action of the French Government in Mexico. April 5th, M. Drouyn de Lhuys communicates to the Marquis de Montholon the fact that "the emperor has decided that the French troops shall evacuate Mexico in three detachments, the first being intended to depart in the month of November, 1866; the second in March, 1867, and the third in the month of November of the same year."

Information reached the Department of State of a movement, having for its object the enlistment of Austrians for embarkation to Mexico, and on the 16th and 19th of March Mr. Seward calls the attention of Mr. Motley, the United States Minister to Austria, to the fact, and urges the earnest and emphatic protest of the United States to such a proceeding. In a subsequent dispatch of the 6th of April, he says: "It is thought proper that you should state that in the event of hostilities being carried on hereafter in Mexico by Austrian subjects, under the command or with the sanction of the Government of Vienna, the United States will feel themselves at liberty to regard those hostilities as constituting a state of war by Austria against the republic of Mexico, and in regard to such war waged at this time and under existing circumstances the United States could not engage to remain as silent or neutral spectators."

April 16th. Mr. Seward calls the attention of Mr. Motley to the correspondence between the Governments of the United States and France upon the subject, and says: "These papers will give you the true situation of the question. It will also enable you to satisfy the government of Vienna that the United States must be no less opposed to military intervention for political objects hereafter in Mexico by the government of Austria than they are opposed to any further intervention of the same character in that country by France. You will, therefore, act at as early day as may be convenient. Bring the whole case in a becoming manner to the attention of the imperial royal government."

May 6, 1866. Mr. Motley communicated the views of the United States Government to Count Mursdorff, who, in reply on the 20th of the same month, writes that "the necessary measures have been taken in order to suspend the departure of the newly-enlisted volunteers for Mexico."

May 31, 1866. Mr. Bigelow reports the French Minister of Foreign Affairs as saying: "That they were but too anxious to withdraw their troops from Mexico; that they would be withdrawn certainly not later, but probably sooner, than the time proposed."

June 4, 1866. Mr. Bigelow, detailing a conversation with the French Minister of Foreign Affairs, says: "He said that the imperial government proclaimed its intention to retire from Mexico, because it suited its convenience and interests to retire, and for no other reason.

When, therefore, it announced formally, not merely to the United States, but to all the world, that the army would be withdrawn from Mexico within a specified time, he thought it should be deemed sufficient. The government made its declaration in good faith, and means to keep it. It means to withdraw its army within the time prescribed, and it does not intend to take one or two hundred in the first detachment and one or two hundred more in the second, leaving the great body of them to the last, though it had not deemed it necessary to specify with minuteness details of this kind, which depend upon hygienic and climatic considerations, of which it was the best and the only competent judge;" and explained that the shipment of French troops to Mexico was for the purpose partly of replacing soldiers missing, and without augmentation of the number of standing troops: "He went on further to say that it was the intention of the government to withdraw the army entirely from Mexico within the time specified in his dispatch to you at the very latest—sooner if climatic and other controlling considerations permitted; and it was not its intention to replace them with other troops from any quarter."

August 16, 1866. Mr. Seward, to the Marquis de Montholon, says: "The President thinks it proper that the Emperor of France should be informed that the assumption of administrative functions at this time by the aforementioned officers of the French expeditionary corps, under the authority of the Prince Maximilian, is not unlikely to be injurious to good relations between the United States and France, because it is liable to be regarded by the Congress and people of the United States as indicating a course of proceeding on the part of France incongruous with the engagement which has been made for the withdrawal of the French expeditionary corps from that country."

August 17, 1866. Mr. Kay reports the assurance of the French Minister of Foreign Affairs, that "there had been no modification of our policy in that matter, and there is to be none; what we announced our intention to do, we will do."

August 24, 1866, Mr. Seward forwarded to Mr. Bigelow, for his information, the following:

#### A PROCLAMATION.

*By the President of the United States:*

*Whereas*, A war is existing in the Republic of Mexico, aggravated by foreign military intervention; and

*Whereas*, The United States, in accordance with their settled habits and policy, are a neutral power in regard to the war which thus afflicts the Republic of Mexico; and

*Whereas*, It has become known that one of the belligerents in the said war, namely, the Prince Maximilian, who asserts himself to be the Emperor of Mexico, has issued a decree in regard to the port of Matamoras and other Mexican ports which are in the occupation or possession of another of the said belligerents, namely, the United States of Mexico, which decree is in the following words:



The ports of Matamoras, and all those of the Northern frontier which have withdrawn from their obedience to the government, are closed to foreign and coasting traffic during such time as the laws of the empire shall not be therein reinstated.

ART. 2. Merchandise proceeding from the said ports on arriving at any other where the excise of the empire is collected, shall pay the duties on importation, introduction, and consumption, and on satisfactory proof of contravention shall be irrepressibly confiscated.

Our Minister of the Treasury is charged with the punctual execution of this decree.

Given at Mexico the 9th of July, 1866.

*And Whereas,* The decree thus recited, by declaring a belligerent blockade, unsupported by competent military or naval force, is in violation of the neutral rights of the United States, as defined by the law of nations as well as of the treaties existing between the United States of America and the aforesaid United States of Mexico :

Now, therefore, I, Andrew Johnson, President of the United States, do hereby proclaim and declare that the aforesaid decree is held, and will be held by the United States, to be absolutely null and void as against the Government and citizens of the United States, and that any attempt which shall be made to enforce the same against the Government or citizens of the United States will be disallowed.

In witness whereof I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the City of Washington, on the seventeenth day of August, in the year of our Lord one thousand eight hundred and sixty-six, and of the independence of the United States of America the ninety-first.

ANDREW JOHNSON.

By the President :

WM. H. SEWARD, Secretary of State.

*Mr. Bigelow to Mr. Seward.*

LEGATION OF THE UNITED STATES, }  
PARIS, October 12, 1866. }

SIR: The Marquis de Moustier received the diplomatic body yesterday for the first time. In reply to a question of mine, he said that the policy of his government toward the United States and Mexico would not undergo any change in consequence of the change of his department. His excellency wished me to understand and report to you that he saw the emperor at Biarritz; that his majesty expressed his desire and intention to retire from Mexico as soon as practicable, and without reference to the period fixed in the convention with Maximilian, if shorter time will suffice. His excellency then went on to say that the "dissidents," according to late reports, are gaining ground, but that it is not the intention of the emperor to undertake new and distant expeditions to reduce them; that there was some talk of retaking Tampico, but what was decided upon had not yet transpired in Paris. He said the position of France was a delicate one, and that there was nothing the emperor desired more than to disembarass himself of all his engagements with Mexico as soon as he could with dignity and honor, and that with our aid—upon which he counted—the time might be very much shortened.

The instructions to Mr. Campbell, the minister to Mexico, dated October 20, 1866, ordering him to proceed on his mission with Lieut.-Gen. Sherman, direct, "that, as a representative of the United States, you are accredited to the republican government of Mexico, of which Mr. Juarez is President. Your communications as such representative will be made to him, wheresoever he may be, and in no event will you officially recognize either the Prince Maximilian, who claims to be emperor, or any other

person, chief, or combination, as exercising the executive authority in Mexico, without having first reported to this department, and received instructions from the President of the United States. Secondly, assuming that the French military and naval commanders shall be engaged in good faith in executing the agreement before mentioned for the evacuation of Mexico, the spirit of the engagement on our part in relation to that event will forbid the United States and their representative from obstructing or embarrassing the departure of the French. Thirdly, what the Government of the United States desires in regard to the future of Mexico is not the conquest of Mexico, or any part of it, or the aggrandizement of the United States by purchases of land or dominion; but, on the other hand, they desire to see the people of Mexico relieved from all foreign military intervention, to the end that they may resume the conduct of their own affairs under the existing republican government, or such other form of government as, being left in the enjoyment of perfect liberty, they shall determine to adopt in the exercise of their own free will, by their own act, without dictation from any foreign country, and of course without dictation from the United States. If results, as a consequence from these principles, that you will enter into no stipulation with the French commanders, or with the Prince Maximilian, or with any other party, which shall have a tendency to counteract or oppose the administration of President Juarez, or to hinder or delay the restoration of the authority of the republic. On the other hand, it may possibly happen that the President of the Republic of Mexico may desire the good offices of the United States, or even some effective proceedings on our part, to favor and advance the pacification of the country so long distracted by foreign combined with civil war, and thus gain time for the reestablishment of national authority upon principles consistent with a republican and domestic system of government. It is possible, moreover, that some disposition might be made of the land and naval forces of the United States without interfering within the jurisdiction of Mexico, or violating the laws of neutrality, which would be useful in favoring the restoration of law, order, and republican government in that country. You are authorized to confer upon this subject with the republican government of Mexico and its agents, and also to confer informally, if you find it necessary, with any other parties or agents, should such an exceptional conference become absolutely necessary, but not otherwise. You will by these means obtain information which will be important to this government, and such information you will convey to this department, with your suggestions and advice as to any proceedings on our part which can be adopted in conformity to the principles I have before laid down. You will be content with thus referring any important propositions on the subject of reorganization and restora-



tion of the republican government in Mexico as may arise to this department, for the information of the President. The Lieutenant-General of the United States possesses already discretionary authority as to the location of the forces of the United States in the vicinity of Mexico."

*Mr. Bigelow to Mr. Seward.*

LEGATION OF THE UNITED STATES, PARIS, NOV. 8, 1866.

SIR: The Minister of Foreign Affairs informed me on Thursday last, in reply to a question which newspaper rumors prompted me to address him, that it was the purpose of the emperor to withdraw all his troops from Mexico in the spring, but none before that time. I expressed my surprise and regret at this determination, so distinctly in conflict with the pledges given by his excellency's predecessor (M. Drouyn de Lhuys) both to you, through the Marquis de Montholon, and also to myself personally. The marquis assigned considerations of a purely military character, overlooking, or underestimating, as it seems to me, the importance which this change might possibly have upon the relations of France with the United States. I waited upon his majesty yesterday, at St. Cloud, repeated to him what the Marquis de Moustier had told me, and desired to know what, if any thing, could be done by me to anticipate and prevent the discontent which I felt persuaded would be experienced by my country-people, if they received this intelligence without any explanation. The emperor said that it was true that he had concluded to postpone the recall of any of his troops until spring, but that in doing so he had been influenced by entirely military considerations. At the time he gave the order the successors of the dissidents, supported as they were by large reinforcements from the United States, seemed to render any reduction of his force then perilous to those who remained behind. His majesty went on to say that he sent General Castelnau to Mexico, charged to inform Maximilian that France could not give him another cent of money, nor another man. If he thought he could sustain himself there alone, France would not withdraw her troops faster than had been stipulated for by M. Drouyn de Lhuys, should such be his desire, but if, on the other hand, he was disposed to abdicate, which was the course his majesty counselled him to take, General Castelnau was charged to find some government with which to treat for the protection of French interests, and to bring all the army home in the spring. His majesty appeared to realize the importance of having an understanding with the President upon the subject, and I left with the impression that he intended to occupy himself with the matter at once. There is but one sentiment here about the determination of France to wash her hands of Mexico as soon as possible. Nor have I any doubt that the emperor is acting in good faith toward us. The fact which the emperor admitted in this conversation, that he had advised Maximilian to abdicate, has prepared me to expect every day the announcement of his abdication; for such advice, in Maximilian's dependent condition, is almost equivalent to an order. That it would be so regarded is, I think, the expectation of the emperor, and ample preparations for the early repatriation of all the troops have, I believe, already been made by the Ministers of War and Marine. The emperor stated that he expected to know the final result of Castelnau's mission toward the end of this month.

November 23, 1866. Mr. Seward, in a dispatch to Mr. Bigelow, protested against this change on the part of the emperor of the plans of the French Government in withdrawing its troops.

The efforts of General Santa Anna to enlist

the Government in his views in reference to Mexico, received no further recognition than the information that the Executive Government holds intercourse affecting the international relations of the United States and Mexico only with accredited representatives of the republic of Mexico.

CANADA.—The action of the Government in reference to the conviction of persons taken prisoners during the Fenian invasion of Canada, is set out in the following:

TO THE PRESIDENT: The Secretary of State, to whom were referred two resolutions of the House of Representatives, passed on the 23d of July instant, in the following words, respectively:

*Resolved*, That the House of Representatives respectfully request the President of the United States to urge upon the Canadian authorities, and also the British Government, the release of the Fenian prisoners recently captured in Canada.

*Resolved*, That the House respectfully request the President to cause the prosecutions instituted in the United States courts against the Fenians to be discontinued, if compatible with the public interests.

has the honor to report in regard to the first resolution that the Government of the United States holds no correspondence directly upon any subject with the Canadian authorities mentioned in the said resolution, or with the authorities of any colony, province, or dependency of any other sovereign State, and that, on the contrary, all its correspondence concerning questions which arise in or affect or relate to such colonies, provinces, or dependences, is always conducted exclusively with such foreign governments.

On the 11th of June last a note was addressed by this Department to the Hon. Sir Frederick W. A. Bruce, her majesty's minister plenipotentiary residing in the United States, of which a copy is herewith annexed. It is proper to say, in relation to that note, first, that the reports mentioned therein, to the effect that prisoners had been taken on the soil of the United States and conveyed to Canada, and threatened by Canadian agents with immediate execution, without legal trial, were found on examination to be untrue and without foundation in fact. It is due to the British Government to say, in the second place, that the representations made in the said note have been received and taken into consideration by the British Government and by the Canadian authorities in a friendly manner.

The resolution of the House of Representatives first recited, harmonizing as it does with the spirit of the aforesaid note, will be brought to the attention of her majesty's government and of the Canadian authorities, with the expression of a belief on the part of the President that affairs upon the frontier have happily come to a condition in which the clemency requested by Congress may be extended without danger to the public peace, and with advantage to the interests of peace and harmony between the two nations.

I have already received your directions that the second of said resolutions be taken into consideration by the proper departments of the Government, with a desire that it may be found practicable to reconcile the humane policy recommended with the maintenance of law and order, the safety of the public peace, and the good faith and honor of the United States. Respectfully submitted,

WILLIAM H. SEWARD.

*Mr. Seward to Sir Frederick W. A. Bruce, British Minister.*

DEPARTMENT OF STATE, WASHINGTON, JUNE 11, 1866.

SIR: The Secretary of War has laid before the President several dispatches, which were received yesterday and to-day from Major-General Meade, who is



commanding the United States forces on the Canadian frontier. These communications warrant the President in believing that the so-called Fenian expedition is now entirely at an end, and that order and tranquillity may be expected to prevail henceforth upon that border. I regret, however, that I am obliged to connect with this gratifying information the further statement that reports have reached Major-General Meade to the effect that some of the Canadian or British troops have crossed the line and entered within the territory and jurisdiction of the United States. It is even said that this entry took place after the disturbers of the peace under the command of the leader Spear had relinquished their forbidden enterprise, and withdrawn within the boundary line of the United States. The reports go so far as to say that prisoners have been taken on the soil of the United States, and conveyed to Canada, and that the Canadian agents have threatened that these prisoners, together with such stragglers as may now be found within the Canadian lines, will be executed without legal trial. It is believed that these reports are exaggerated. Care has been taken by Major-General Meade to have them promptly investigated.

In the mean time I am instructed by the President to represent to you, and through you to the British and Canadian authorities, that this Government would not look, without serious concern, upon the practice of any unnecessary severity, especially on the exercise of retaliation or other illegal proceedings upon the persons of such of the offenders as have fallen or shall hereafter fall into the hands of the Canadian authorities. I respectfully invite your attention to this subject, with the confident expectation that no proceedings that are not authorized and in conformity with law will be taken against persons of that class, and in the hope that even the customary administration of the law will be tempered with special forbearance and clemency. In view of the effective proceedings which this Government has adopted in regard to the disturbances on the frontier now so fortunately ended, these representations would have been made by me without waiting to be moved from another quarter. They are now made, however, with the approval of Major-General Meade, and I believe that they will receive the concurrence of the Congress and people of the United States.

I have the honor to be, sir, your obedient servant,  
WILLIAM H. SEWARD.

The Hon. FREDERICK W. A. BRUCE.

**DISINFECTANTS.** This term, in its broadest sense, includes all agents which, on the one hand, destroy or render harmless the products of putrefaction or infection, or, on the other, induce in organic bodies a condition such that they are temporarily or permanently preserved from undergoing putrefactive change.

Thus, such agents are divisible into two tolerably distinct classes: those which prevent putrefaction in bodies to which they are applied, are distinguished as *antiseptics*; and those which in any way so act on the escaping products of putrefaction, or of certain diseased actions, as effectually to remove these or render them innocuous, and hence to purify air, water, clothing, or apartments that have become contaminated with them, are termed *disinfectants*, in the more strict and proper sense. Agents which merely disinfect, thus neutralize or destroy the noxious emanations or discharges of decomposition or disease, but have no power to protect still sound and healthy organic substance against the continuance or renewal of decomposition; and, in many cases, as those of

the examples just named, they tend even to expedite the destructive process, at the same time that they oxidize or remove its products. Substances which remove deleterious or offensive odors, are called *deodorizers* or *deodorants*.

Besides that air serves as a diluent and mechanical medium for the removal of noxious emanations, its oxygen also, and especially when, through any cause, present in the active form, or as *ozone*, directly acts on many forms of such diffused matters, oxidizing and decomposing them into products of more innocent nature. Both in the air of the country, and in that of the streets and open spaces of towns, and of course even within apartments, this beneficial action of oxygen is more or less, but continually going on. And the consumption of the active oxygen itself in this process is doubtless one chief reason why the air of the central parts of large cities usually shows little ozone. Indeed, Dr. R. Angus Smith states, in reference to the city of Manchester, that a wind of some fifteen miles an hour becomes quite exhausted of ozone before passing to the distance of a mile within (we may suppose) its denser portions.

Many chemical agents, and some of which will be again referred to, simply act to supplement or rapidly consummate, upon deleterious emanations or other products of putrefaction or disease, this action which the air partially, or at least more slowly, effects; doing this either in the way of furnishing oxygen, and often in the ozonic condition, or of yielding some similarly active element, as chlorine. The extent and variety of relations of the subject will render it evident that the space here occupied does not contemplate a systematic view of methods and materials generally such as, under a great diversity of circumstances, are resorted to for purposes of disinfection; and, in fact, little will further be attempted beyond calling attention to a few of the more effectual, and in particular of the more recent, of such agencies. The reader may profitably consult also the articles on this subject in the *NEW AMERICAN CYCLOPÆDIA*, and in the *SUPPLEMENT to Ure's Dictionary*, and the pamphlet of Dr. E. R. Squibb, on *Disinfectants*, New York, 1866.

*Summary of Important Disinfectants, Oxidizing, and Reducing.*—Among important disinfectants of an *OXIDIZING* character should be named the *nitrates of zinc, iron, and lead* (the last in solution known as "Ledoyen's Fluid"); both the *sulphates of iron*, which, like the nitrates named, part with oxygen in large quantities, destroying the products of putrefaction—the sulphates becoming reduced to sulphides, but having meantime the disadvantage of sometimes evolving sulphuretted hydrogen (sulphydric acid gas); *quicklime*, the action and uses of which are generally familiar; the "*Calx Powder*"—quicklime 2 or 4 parts, charcoal 1 part; a compound recommended by Dr. Squibb, and employed by the Board of Health of New York, being a modification of the formula (1



part peat charcoal, 1 part quicklime, and 4 parts sand or gravel, to insure dryness) adopted by the British Sanitary Commission in the Crimean war; solution of *sulphates of zinc and copper* ("Lanaude's Disinfectant"), and the *permanganate of potash or soda*, in solution known in England as "Condy's Fluid"—sp. gr. about 1.055, and containing some 6 per cent. of the salt—the compounds named being such as freely give off oxygen, as ozone, and which in due quantity and with time to act, disinfect very efficiently, oxidizing even sulphuretted and phosphuretted hydrogen, and attacking all forms of organic matter, so that their prolonged application may prove injurious to clothing or other fabrics; while being expensive, they are perhaps generally best suited to the purification of drinking water—adding till they impart a faint pink tinge, letting the water stand awhile, and then filtering.

The agents now named being slightly or not at all volatile, their action is mainly limited to the matters to which they are applied, although, by being sprinkled or set at different points, or suspended in shallow vessels within a room, they may act advantageously on the air. *Nitric acid*, however, or rather the *nitrous acid* fumes, yielded by it, as when a piece of copper is immersed in the former acid, or when sulphuric acid is allowed to act on nitre, proves a very efficient volatile disinfectant, though the fumes cannot be breathed with safety. It may here be added that a strong solution of permanganate of potash has been found beneficial as a local application to carbuncle, ulcers, and gangrene; though, in case of the last, *bromine* is perhaps more efficacious.

As disinfectants generally acting in the way of *deoxidizing* or *reducing* gases or putrid matters, should be named—first, those which chiefly abstract oxygen, as *sulphurous acid*, present in the fumes of burning sulphur (this acid, however, sometimes parting with its oxygen and precipitating sulphur), and which, in itself and in its compounds, acting under certain circumstances to prevent decomposition, preserves instead of destroying the valuable ingredients of manures. Among the compounds of sulphur also proving useful, are the *sulphites of soda, magnesia, and lime*, and, again, the element *phosphorus*, a stick of which partly immersed in water gradually gives off fumes to the air at ordinary temperatures, thus destroying offensive emanations in rooms, in which it is so exposed—a material, however, which requires care in handling, and the action of which should not be carried to excess. Secondly, those agents which chiefly act by abstracting hydrogen, as the elements *bromine* and *iodine*, that volatilize spontaneously from an open vial or dish, but that also require to be watched in the respect of quantity, while the former at least is a very prompt and powerful antiseptic; and *chlorine*, a gaseous disinfectant very commonly availed of, yet, like those just named, liable in ex-

cess to prove irritant—this gas being freely liberated by a mixture of common salt and binoxide of manganese (finely ground), and to which a little dilute sulphuric acid is added, cold; or from the so-called *chloride of lime* (mixed hypochlorite, chlorinated lime, or bleaching powder), treated with the same acid or with vinegar; and which is also slowly given off to the air, or more rapidly to organic matters the latter are brought in contact with, by the *hypochlorite of soda* ("Labarraque's Disinfecting Liquid"); by the *chloride of zinc* ("Burnett's Fluid," or "Drew's Disinfectant"), a material scarcely used for ordinary disinfection, except for the discharges of the sick, and then sufficing usually in the quantity of a table-spoonful; by the *protochloride* and *sesquichloride* (chloride, or perchloride) of *iron*, in reference to which some authorities adopt a like view; by the *chloride of manganese*; and by a solution of a mixture of this with the corresponding salt of *iron* (the neutralized refuse liquors from the manufacture of chlorine), one gallon of which is said to disinfect 10,000 gallons of ordinary sewage. The action of chlorine and the chlorides, now explained, is one by which certain nitrogenous matters prominent among the products of putrefaction are destroyed; but for a like reason such agents are generally unsuitable for mixture in any considerable quantity with the material of manures.

Besides quicklime, strong acids also, as the *sulphuric, hydrochloric, and nitric*, are sometimes directly applied to putrescent matters which it is desired to correct, and the latter agents, not merely by reason of their property of combining with and removing ammoniacal and other bases, but also for their action in the way of rapidly carbonizing or otherwise destroying the materials referred to; but the tendency of these agents to generate, during the destructive process, and so to fill the air with, large amounts of offensive gases, requires to be borne in mind. Of acid disinfectants, Dr. R. A. Smith prefers *vinegar*, and especially wood-vinegar (impure pyroligneous acid), as containing a little creosote. Vinegar is also, like sulphurous acid, highly suitable for fumigations; but both, and the latter very especially, are liable to tarnish bright metallic surfaces.

*Carbolic and Cresylic Acids, and their Combinations*.—From very early times, not only the smoke of burning pitch or tar, but also these bodies in substance, and it appears certain products obtained from distillation either of pitch or wood, among the latter being pyroligneous acid (known, among other names, also as wood-spirit, and, when pure, methylic alcohol), and creosote, have been employed in various ways and to good purpose as antiseptic and disinfectant agencies. Indeed, not only wood and coal tar, but several also of the components separable in more or less pure form from these—some of them, like the methylic alcohol, characterized by properties which ally them to common alcohol, also an antiseptic



—are bodies which powerfully act to resist, if not also to correct, the putrefactive change in organic matters.

Creosote, first distinctly determined as separated from wood-tar, but now, perhaps, chiefly procured by distillation of coal-tar—the product distilling over between about  $400^{\circ}$  and  $480^{\circ}$ —is found when pure, at least from the source last named, to consist almost entirely of *cresylic acid* ( $C_{14}H_8O_2$ ), its specific gravity at  $68^{\circ}$  being 1.037. Much of what is now called creosote, however, is but an impure form of *carbolic acid* ( $C_{12}H_6O_2$ ), a substance homologous with the former, obtained from the portion of coal-tar distilling between about  $300^{\circ}$  and  $400^{\circ}$ , and having at  $64^{\circ}$  a specific gravity of 1.065. Indeed the carbolic acid and the creosote (properly cresylic acid in the main) of commerce, are alike seldom pure, each being usually mixed with some portion of the other, and also with some naphthaline, chinoline, etc., and to which latter their coal-tar odor is largely due; while Dr. Letheby states that other coal-tar acids, the value of which is less, are also to some extent sold as carbolic acid.

Other names somewhat commonly applied to this substance are those of *phenic acid*, *phenol*, and *phenylic alcohol*. Pure carbolic acid is a white crystalline solid, melting at about  $93^{\circ}F.$ , and distilling at about  $356^{\circ}$  [ $370^{\circ}$ , URE]; but very little oily impurity or water suffices to liquefy it, and for disinfecting purposes it is usually supplied in the liquid form. Cresylic acid is liquid at ordinary temperatures, boiling at  $397^{\circ}$ . The commercial creosote dissolves by agitation in water in the proportion of about one part to eighty, by measure. It appears to be established that, for purposes of disinfection, carbolic and cresylic acids have about equal value, and far surpass other coal-tar products, so that they may indeed be regarded as the active antiseptic principles of the tar. The experiments of Mr. Wm. Crookes go to prove that these acids do not (at least chiefly) act, like sulphurous acid, by taking up oxygen—though the tendency of both of them in presence of bases to oxidize into rosolic acid, would intimate that in some cases such action may take part in degree; while in others of those experiments, incipient putrefaction in flesh was slowly corrected, and both such flesh and that which was fresh, being, after soaking for an hour in a one per cent. aqueous solution of carbolic acid, hung up in the air of a warmed room, dried, and kept indefinitely; as, by a like application, animal membranes were preserved; and small quantities of the acid sufficed to prevent decomposition in animal size and glue, even in hot weather. Generally, indeed, according to most authorities, carbolic and cresylic acids exert little effect as disinfectants—that is, in the way of correcting fetid gases or other products of putrefaction, their chief value consisting in their strictly antiseptic power. Dr. Smith considers their action in this respect one of presence or contact, though in the way of inducing a stable

rather than an unstable condition, and as the opposite of *catalysis*. Dr. Squibb regards these acids as in use liable to the disadvantage of sometimes themselves undergoing changes of a chemical character.

In respect to the disinfectant value of carbolic acid, Dr. Letheby does not wholly coincide with the other authorities cited; and he states that it is used (in London) as the sole agent of disinfection for privies, drains, and sinks, and for the sewers and public roads. For the former, it is poured in in a concentrated state; for the latter, diluted with 2,000 times its bulk of water, and sprinkled on the public way by means of the water-carts. The acid thus finding its way to the sewers, the usual decomposition of the sewage is arrested, putrefaction and evolution of offensive gases being replaced by an air slightly charged with carbonic acid and light carbide of hydrogen (marsh-gas). He mentions also a carbolate of lime, believed to be a chemical compound, and containing about 20 per cent. of the acid, but the value of which is destroyed by mixing it with the so-called chloride of lime. The carbonic acid of the air, slowly acting on the former salt, sets free the carbolic acid, which is thus diffused through the air in sufficient quantities to act as a disinfectant, without destroying the colors of clothing. In summing up, Dr. Letheby recommends as best for the disinfection of sick-rooms, chlorine and the chlorinated lime; for that of drains, middens, and sewers, carbolic acid and carbolate of lime; and for that of discharges from the human body, carbolic acid, chloride of zinc, and sesquichloride of iron.

Dr. Gibbon, health officer of the Holborn district, during the season of cholera in 1866, in order to avoid the danger of spreading the disease, practised plunging the infected clothing, within the rooms of patients, into a mixture of boiling water and carbolic acid. The use of this disinfectant is stated also to have been ordered in the British navy, to take the place of Burnett's chloride of zinc, and partly because of the number of deaths occurring from the swallowing of the latter solution through mistake; but at least one death in a similar manner from solution of carbolic acid is already reported, and other cases of injury from incautious use of it have occurred. M. Bobœuf patented in France, in 1861, an alkaline solution of carbolic acid (*Phénol sodique Bobœuf*), as a local hæmostatic and antiseptic, its chief use being for stopping the flow of blood from wounds, and which obtained the Montyon prize of the French Institute. Carbolic acid lozenges have also been prepared for use as an internal antiseptic, their flavor being sufficiently biting to prevent their being consumed as confectionery by children. Indeed, Dr. Sansom adopted at the University College Hospital, London, a treatment of cholera which may be characterized as both externally and internally antiseptic. He argues in favor of



the use of agents of such character as *sulphites* and *carbolic acid* or *carbulates*, in place of the chlorides (as of mercury) commonly employed. He administered internally the sulphite of soda, and also carbolic acid (one drop, with three of chloroform); and though the practice was still under trial, the author speaks favorably of its results. The 13th volume of the *Chemical News* (January to June, 1866) contains several notices of the use of disinfectants in connection with the arrest or prevention of the *rinderpest*, in which, it may be added, the editor believes that carbolic acid serves as the best agent of disinfection.

For general use during seasons of epidemic cholera, Dr. Squibb strongly recommends, on the score both of efficiency and cheapness, the two familiar agents, *quicklime* (ground to a coarse powder, and used in mass, and as a whitewash), and *charcoal* (recently burned, dry, and also ground coarsely), and the mixture of these already named, the "calx powder." The quicklime and calx powder, and also chloride of lime, sulphate of iron (copperas), permanganate of potash, and Labarraque's solution, are the agents which were chiefly employed and recommended by the Board of Health of New York, during the existence of cholera in that city and suburbs in 1866, the copperas being used in strong solution for water-closets, bed-pans, etc., and the permanganate for disinfecting clothing and towels, when not convenient to boil such at once; and the success of the board in controlling the epidemic as well as low fevers by these agencies, and preventing their spreading, are known to have been very decided and satisfactory. Dr. Squibb urges also the value of fumigation with a strong smoke of green wood for the disinfection of empty tenement houses, hovels, stables, cellars, etc., such a smoke carrying with it carbon, creosote, pyroligneous acid, carbonic oxide and acid, etc., and thus proving powerfully antiseptic and disinfectant; while its effects may often be completed by afterward cleansing and whitewashing. Finally, besides quicklime, charcoal, and their mixture already named, and even before them in importance as general disinfectants, he ranks *heat*, and the various means of disengaging and applying *chlorine*; and he urges the propriety generally of occasionally intermitting or changing the disinfectant agents used.

Charcoal should be of recent burning, dry, and coarsely powdered. Water heated to 212° proves a decided disinfectant. To destroy the infectious poisons in clothing, etc., Dr. Squibb would heat in an oven to 280°; while Dr. Tanner and others declare that 220° suffices. For dwellings and public buildings a complete disinfection may doubtless usually be maintained by means of four natural or simple agencies: sunlight, cleanliness, ventilation, and a properly—but not over—drying heat.

Several disinfecting compounds of a special character besides those already named, and

many of them protected by patent, have also come into use. McDougall's "Disinfecting Powder" contains sulphurous and carbolic acids, or the former and creosote, and is used in correcting dampness and putrefaction or offensive matters in stables, cow-houses, water-closets, etc. In England, also, various other preparations, as disinfecting soaps, and Condry's "Patent Ozonized Water" for the bath, toilet, and purification of drinking water, etc., are employed.

A compound disinfecting powder known as the "Phoenix Disinfectant," invented by Mr. Henry Napier, is now manufactured by the Phoenix Chemical Company, at Elizabeth, N. J. The inventor describes the compound as a *sulphocarbonate of alumina*, with addition of a small percentage of *sesquichloride of iron*, and of *sulphite of magnesia*. The alumina base serves, not merely while the preparation is kept in bulk, to aid in retaining its active constituents, but also when the powder is applied, to absorb gases, especially the sulphuretted, phosphuretted, and ammoniacal, so commonly evolved in connection with decomposition, the sulphite contained aiding also in the removal of such gases; while further, when applied or exposed, the mixture gives off both carbolic acid and chlorine, for disinfection of the air. This preparation is recommended for the prevention of putrefaction in animal or vegetable matters or refuse, or arresting it where commenced—actions chiefly effected by the carbolic acid; and for the correction or absorption of gases given off by putrid, fecal, or other matters—an object chiefly attained by action of the sesquichloride of iron. The mixture may be applied in private dwellings, cellars, streets, hospitals, sick-rooms, etc., and for drains, cess-pools, stables, shipping, etc. The inventor states that the compound gives off no injurious gas; that it does not injure manures, but acts to absorb and retain their fertilizing ingredients; that it effectually removes noxious and offensive emanations, and that it is not expensive; though his statement further, that it is "not poisonous," can of course be understood only in a relative and qualified sense. The disinfectant has been already approved by the boards of health of three or more cities, by proprietors of several public buildings, and others.

Finally, the reader is referred, as especially connected with the subject of disinfection (besides sources previously named), to the treatise of Dr. A. E. Sansom, entitled "*The Arrest and Prevention of Cholera, being a Guide to the Antiseptic Treatment*," London, 1866; to a communication of Dr. Letheby, Health Officer of London, "*On the Practice of Disinfection*," republished in the *Chemical News* of December 7, 1866; and to the "*Reprint from the Appendix to the Third Report of the Cattle Plague Commission*," London, 1866," by Mr. William Crookes, and some extracts from which have here been presented.



DRAPER, SIMEON, a distinguished citizen of New York, and a leading politician, born, 1804; died at Whitestone, L. I., November 6, 1866. He was educated for mercantile life, and was for many years a prominent merchant of New York. Being unfortunate in business, he became an auctioneer, in which position he was eminently successful.

In the political affairs of the State and nation Mr. Draper took a deep interest and active part. He held a prominent place in the old Whig party of his State, and was for many years the personal and political friend of William H. Seward. In later years the political relations of the two were broken up—Mr. Draper, soon after the formation of the Republican party, becoming a decided opponent of Mr. Seward's policy. Mr. Draper was several times a member of the Whig State Central Committee, and in 1864 was chairman of the Union State Central Committee.

For many years before the war he was president of the Board of Ten Governors having charge of the city charities. When the law creating this board was repealed, he was appointed a Commissioner of Public Charities and Corrections, and retained that post until 1864, when he resigned the position, to which Comptroller Brennan succeeded. His administration of these offices was almost universally commended. In 1862 he was appointed Provost Marshal for the city. In 1864, by appointment of President Lincoln, he succeeded Mr. Barney as Collector of the Port of New York. He resigned this position in 1865. At the time of his death Mr. Draper was the Government cotton agent, having charge of all the cotton received at the port of New York. He was a man of much ability, and exerted a marked influence in the circles in which he moved, whether of politics or trade. He had a very thorough knowledge of political affairs, and had many warm political adherents. He was a man of generous impulses and the strictest integrity.

DUTTON, SAMUEL WILLIAM SOUTHMAYD, D. D., a Congregational clergyman and writer, born in Guilford, Conn., March 14, 1814, died at Millbury, Mass., January 26, 1866. His ancestry upon both sides were distinguished for piety and substantial intelligence, and his early training was well calculated to develop the best faculties of his nature. He graduated at Yale College in 1833, and spent the following year in teaching in Mount Hope College, Baltimore, Md. In September, 1834, he was chosen rector of the Hopkins Grammar School, in New Haven, and held the position one year. From 1836 to 1838 he was a tutor in Yale College, and from 1835 to 1838 pursued his theological studies in the seminary there.

Having accepted a call to become the pastor of the North Church in that city, he was ordained June, 1838, and remained in this relation until his death, a period of more than twenty-seven years, with an influence extend-

ing widely beyond the limits of his parish. As a preacher, he was characterized by plainness, directness, and simplicity. He was also widely known for his whole-souled generosity and humanity, and his house was the resort of the poor, the widow, and the fatherless, who, without respect to color or nation, were sure of the needed help. Very early in his ministry he took an open and decided anti-slavery stand, holding firmly his position through evil report and through good report till the day of triumph and deliverance. In 1842 he published a history of the North Church in New Haven during the last century. In 1843, upon the establishment of the *New Englander*, he became one of the associate editors, and from that time contributed to its pages more articles than any other writer save Dr. Bacon. He also published various addresses and sermons. In 1856 Mr. Dutton received the title of D.D., from Brown University.

DWIGHT, THEODORE, an editor and author, born in New Haven, Conn., 1797; died in Brooklyn, October 16, 1866, from injuries received by a railroad accident. He was the son of the late Hon. Theodore Dwight, member of Congress from Connecticut, and nephew of Dr. Timothy Dwight, President of Yale College. He entered Yale College at the age of fourteen, and graduated with high honors in 1814. Having been converted during this period, he resolved to study theology, and devote his life to the ministry, but his studies were interrupted by a severe attack of hemorrhage of the lungs, and he was ordered abroad by his physician. He visited Great Britain, where he spent a year, and in 1821 again went abroad, and this time travelled over the greater part of Europe. On his return he wrote his first book, entitled "A Tour in Italy." His hopes of entering the ministry having been frustrated, he henceforth devoted his life to literary and philanthropic pursuits, occasionally giving instruction to both young ladies and gentlemen. In 1833 Mr. Dwight removed to Brooklyn, where he identified himself with the greater part of the public enterprises instituted for the good of the city. In the origination and organization of the public schools he was one of the principal and most energetic movers, often inviting to his house boys whom he met in the streets, and interesting them in study. He was engaged in several magazines and periodicals, and at one time was publisher and editor of the *New York Presbyterian*. Through the greater part of his life he was accustomed to write for the leading daily and weekly newspapers, and for the best periodicals. He was a most highly cultivated man, being familiar with most of the languages now spoken, conversing with great ease in French, Italian, Spanish, and Portuguese, besides Greek and Hebrew. He was also conversant with German—though he never liked it—and Arabic, in which he conversed quite readily. He was a member of several scientific and philosophical societies, among which were



the Ethnological Society of New York and the Historical Society of Brooklyn. At the time of his decease he was engaged in the work of introducing our customs and books into the schools of the Spanish American States, and the

translation of our works of instruction into that language. He was a man of the most sensitive uprightness and sincerity, and was ever ready to lend a helping hand in the advancement of any good cause.

## E

EASTERN CHURCHES, or ORIENTAL CHURCHES, is the collective name given to a number of churches in Eastern Europe, in Asia, and Northeastern Africa, which hold to the doctrine of the apostolical succession of bishops. These churches are: 1. The Greek Church. (*See GREEK CHURCH.*) 2. The Armenian Church. 3. The Syrian or Jacobite Church. 4. The Nestorian, or Chaldean Church. 5. The Coptic Church, in Egypt. 6. The Abyssinian Church. 7. The Christians of St. Thomas, in eastern India. The Maronites, another of these communions, has for several centuries been united with the Roman Catholic Church. Of all the others, the last-mentioned has gained over a portion, which have embraced her doctrines, but have retained some usages which differ from those of the Catholic Church, as the use of an Oriental instead of the Latin language at divine service, and the marriage of priests. Thus, there are "United Greeks" (and within a few years, "United Bulgarians"), "United Armenians," "Chaldeans" (united Nestorians), "United Syrians," "United Copts." More recently, an "Eastern Church Association" has been established in England for the purpose of bringing about a reunion between the Anglican and all the Eastern churches. This association last year published its first annual report, from which it appears that among its patrons are several Greek bishops of Servia. The report also states that negotiations are pending for a reunion between the Greek and Armenian Churches, and an account of these negotiations, written by the Greek Metropolitan of Chios, is published in the report. The association presented a letter of Christian and brotherly greeting to the Synod of the Armenian Patriarchate assembled at Constantinople for the election of a new "Catholicos" (head of the Armenian Church) at Etshmiadzine. The Patriarch of Constantinople received the letter with great kindness and courtesy. (*See ANGLICAN CHURCHES and GREEK CHURCH.*)

At the election of a new "Catholicos" (head of the Armenian Church) at Etshmiadzine, a convent in Asiatic Russia, held in 1866, the candidate favored by the Russian Government was chosen over the one favored by the Turkish Government. There was, in 1866, a great excitement among the Armenian community in Constantinople. The Patriarch was reported as being eager to undermine the old predominance of the laity in the government of the "nation," and to secure for the

clergy a similar ascendancy and immunities to those enjoyed by the priesthood in Catholic countries. The attempt was as firmly resisted by most of the lay heads of the community, with whom, also, the greater part of the lower clergy have sided. The Sultan's Armenian subjects are mainly governed by a representative "national" assembly, with a secular and clerical *medjlis*—sub-committee—the whole chosen according to a fixed electoral law by the Armenians themselves. Finding himself successfully resisted by the liberal majority of the people and clergy the Patriarch resigned. The minister A'ali Pacha refused to accept his resignation, and abolished both the secular and clerical *medjlises*, naming a new mixed one of eleven members, chosen by himself to revise the constitution. In December, 1866, an American missionary at Constantinople wrote on the reformatory movements among the Armenians as follows:

For some time past a party in the Armenian Church has been laboring quietly for a thorough reform. The American missionaries in Turkey have labored among these people for thirty years, and have succeeded in carrying the Bible into every village. But church and nation are so confounded in Turkey that thousands have hesitated to leave their church, although they were convinced of its errors. Now these thousands are combining to compel the church to renounce these errors, and go back to the simple teachings of the Bible. They propose to retain the Episcopal form of church government as better adapted to Turkey than any other. Their Central Committee is in constant communication with Protestant pastors and missionaries, and is drawing up a creed as a basis for their party to act upon. An Armenian paper this week declares that all the young men are joining this new movement, and prophesies that it will succeed. I am not quite so sure about immediate success, for the corrupt ecclesiastical hierarchy has unlimited power for evil; but the movement is a striking evidence of the success of the American missionaries in bringing the people back to the Bible as their only sure guide.

The position of the Nestorians in Persia was greatly improved in 1866, consequent upon the English intervention in their behalf. The *Levant Herald*, of Constantinople, thus refers to their improved condition.

The sectarian quarrel between the Nestorians round Oorumiah has ended in the Roman Catholic party ousting the Protestants from a church which the latter had long occupied, and so leaving them (in the village concerned) without any place of public worship. As in every way the best means of smoothing over the quarrel, Mr. Alison recently set on foot a subscription to build the ejected Protestants a span new church of their own, and on the matter being mentioned to the Shah, his majesty most



generously and tolerantly headed the list with one hundred pounds, and the total amount is four hundred and sixty-two pounds four shillings. The Nestorians will thus, after all their sufferings, be gainers in the end; that is, the Persian Nestorians, for much remains to be done for those of them who live across the Turkish frontier. The Shah, as a further mark of his favor, has appointed General Gehangir Kahn, an Armenian gentleman of distinguished merit, to represent the interests of the community.

ECUADOR, a republic in South America. President, Geronimo Carrion, since August 4, 1865. Vice-President, Dr. Rafael Carvajal; Minister of Finances, of the Interior and Exterior, Dr. Manuel Bustamante; Minister of War and of the Navy, Colonel Ignacio Veintimilla. The republic is now divided into the following ten departments; Pichincha, Imbaburas, Leon, Chimborazo, Esmeraldas, Oriente, Guayas, Manavi, Cuenca, Loja. Area, about 284,660 English square miles, but, as the eastern frontier is not yet fixed, others estimate it at from 190,890 to 343,602 English square miles. Population in 1858, 1,040,371, among whom 600,000 were descendants of Europeans. The capital, Quito, has about 76,000 inhabitants. The public revenue consisted, in 1865, of 1,401,300 piastres, and the expenditure of 1,399,672 piastres. The public debt, in 1865, amounted to 9,390,554, the interior debt to 3,692,955 piastres. The exports from the port of Guayaquil in 1864, amounted to 2,953,649 piastres (increase over 1863, 119,304 piastres); and that in 1865 to about 4,000,000 piastres. The number of entries, in the port of Guatemala in 1864, was 50 British mail steamers, and 171 other vessels (42 Ecuadorian, 78 Peruvian, 7 Chilian), together making 14,999 tons. In January, 1866, the Government of Ecuador joined the alliance of Chili and Peru against Spain, and subsequently, like the other allied republics, expelled all the Spanish residents from her territory. On November 26, President Carrion replied to the proposition of General Mosquera, of the United States of Colombia, relative to the convocation of another South American Congress, approving of the suggestion and declaring his readiness to send a delegate to the Congress.

EDGAR, JOHN, D.D., LL.D., an Irish Presbyterian clergyman and professor, born in County Down, Ireland, in 1797; died at Dublin, August 26, 1866. He was the son of the Rev. Samuel Edgar, D.D., a seceding minister of Ballymahinch, County Down. He received his elementary education in his father's academy; studied classics, science, and philosophy, in the Belfast College; theology in the Divinity Hall, under his father; and was ordained pastor of the Second Seceding Congregation, Belfast. On the death of his father, though young, he was chosen his successor in the divinity chair; and happily disappointed the fears of many, and realized the hopes of more, by the tact and judgment with which he conducted the class, the sound and extensive knowledge he imparted

to it, and the skilful training for ministerial service through which he led his pupils. On the union of the Secession Church with the Synod of Ulster, he continued to exercise his professorship in conjunction with Dr. Hanna, who had been professor of the latter body, till the death of that gentleman, after which he was sole professor in his department in the Assembly's College, till his death. Dr. Edgar did not confine his labors, in the cause of religion, to the duties of his professorship. He was the author of the temperance reformation in Ulster, and in the autumn of 1829, issued his first publication on the subject, which was followed at intervals by others, amounting to nearly one hundred, of which hundreds of thousands were circulated; and not only from the press, but from pulpits and platforms, in Scotland and England, as well as in Ireland, he ably and eloquently advocated the noble cause. Dr. Edgar was decidedly and intensely devoted to the Presbyterian system, but he loved and maintained Christian friendship for all good men. The plans for building manses and churches, and increasing ministerial support, had in him one of their most successful supporters, and to advance these, his liberality and influence were unfailingly devoted. All the missions of the church, foreign, Jews, and colonial, had in him a powerful advocate, but that to his Celtic countrymen was quite absorbing. The North Connaught Mission, whose centre is Ballinglen, with its missionaries, preachers, schools, industrial, and scriptural, colporteurs, etc., owed its origin and success mainly, under the blessing of God, to his exertion. In politics he was a Liberal, and ardently advocated the abolition of West India slavery. He also took a deep and abiding interest in the education of the deaf, dumb, and blind.

EGYPT, a dependency of Turkey in Africa. The Government of Egypt has, since 1841, been hereditary in the family of Mehemet Ali, according to the Mohammedan law of succession, which passes the throne from one member of the family to another in order of seniority. In May, 1866, the present viceroy of Egypt, Ismail Pacha (born 1816, succeeded his brother, Said Pacha, on January, 1863), prevailed upon the Turkish Government to grant him the right of succession in direct line, and the son of Ismail Pacha, Mechmed Yefwik Pacha, born in 1861, is, therefore, the presumptive heir to the throne. The territory subject to the viceroy of Egypt, embracing Nubia, the provinces of Kordofan and Takale, Taka, the territory of the Bareah, and other parts of Egyptian Soodan, extends on the White Nile as far as Helle-e-Deleb; on the Blue Nile, as far as Fazogl. Altogether its area is estimated at 657,510 English square miles, and the population at 7,465,000, of whom 4,306,691 belong to Egypt proper, 1,000,000 to Nubia, 400,000 to Kordofan and Takale, 38,000 to Taka, 20,000 to the territory of the Bareah, 1,700,000 to other parts of Egyptian Soodan. The population set down for Egypt proper is ac-



cording to a census of 1862, when the country was divided as follows: 1. *Lower Egypt* (without the cities of Cairo, Alexandria, Rosetta, Yanta, and Suez), consisting of the provinces of Behereh, Rodat-el-Barein, Dakaliyyeh, Kaljoobiyyeh, Gizeh, had, in 3,205 villages, 2,117,954 inhabitants. 2. *Middle Egypt*, divided into the provinces of Minyeh (and Beni-Mazar), Fayoom, and Beni-Suef, had, in 554 villages, 519,582 inhabitants. 3. *Upper Egypt*, embracing the provinces of Sioot, Girge, and Kenne (and Esne), had, in 620 villages, 417,876 inhabitants. 4. The large cities and towns had the following population: Cairo, 256,700; Alexandria, 164,400; Damietta, 37,100; Rosetta, 18,900; Suez, 4,160; Yanta, 19,500. Among the inhabitants are about 150,000 Copts, 5,000 Syrians, 5,000 Greeks, 2,000 Armenians, 5,000 Jews. The yearly revenue of the Government is estimated at £8,000,000. The yearly tribute of the Turkish Government was formerly about £360,000, but was largely increased in 1866, when the porte granted to the viceroy the right of changing the law of succession. The army consisted, in 1863, of 21,000 men. The number of vessels was, in 1862, 7 ships of the line, 6 frigates, 9 corvettes, 25 smaller vessels, and 27 transports. The imports of Alexandria amounted, in 1864, to 492,937,258 Turkish piastres (20 Turkish piastres are equal to one dollar); and the exports to 1,146,905,253 piastres. The value of the exported cotton alone was \$74,213,500, against \$7,154,400 in 1860. The number of vessels entering, in 1864, the four Egyptian ports of Alexandria, Port-Said, Damietta, and Suez, amounted to 6,009 (of which 1,124 were steamers). The number of passengers was 68,678.

In November the Council of Ministers, under presidency of the viceroy, determined the basis and organization of a council of representatives, the creation of which had been for some time decided by the viceroy. The statute determining the electoral regulations is as follows:

ART. 1. The duty of the Assembly will be to deliberate upon the internal interests of the country, and to pronounce upon the matters which the Government may consider as coming within its functions. On such matters the opinion of the Assembly will be submitted to the approbation of the viceroy.

ART. 2. Every individual, not under twenty-five years of age, will be eligible for election, on condition of being honest, loyal, and capable, and certified as a native of the country.

ART. 3. No person can be elected whose property may be under sequestration by decree in consequence of bankruptcy, unless the insolvent has obtained a regular and complete discharge; also, no person having no means of existence, or who, during the year preceding his election, may have received public charity, nor any who may have undergone a criminal penalty, or been dismissed from the public service in consequence of a legal sentence.

ART. 4. The electors will be chosen among the inhabitants whose property shall not have been sequestrated in bankruptcy, those who having been insolvent may have obtained a regular discharge, those who shall never have undergone a criminal penalty, who shall not have been dismissed the public service, and finally those who are not in active military service.

ART. 5. No person can be elected who may be in the Government service, and this regulation applies equally to the notables and heads of the villages as to those who may be in the service of any of them. All persons in the military service, either on the active or reserve list, fall under the same disqualification. On the other hand, every official having quitted the Government service without reprehensible motive, and every soldier whose term of service fixed in the reserve list shall have expired, may be elected if they satisfy the preceding conditions.

ART. 6. The election of the members of this Assembly having to take place in the provinces in proportion to the population, one or two persons will be elected in each district, according to the number of inhabitants; but at Cairo three representatives will be nominated, at Alexandria two, and at Damietta one only.

ART. 7. The inhabitants of every village assembling and choosing their Sheiks, the latter will naturally have the right to elect in the name of the population, provided they fulfil the required conditions. These Sheiks will meet at the Prefecture, each will write upon a balloting paper, which is to be kept secret and closed, the name of the person for whom he votes, and will deposit the paper in the electoral urn of his district.

ART. 8. The examination of the ballot, after the voting of the Sheiks, will take place in the presence of the Mudir, his officer, the chief of the police office, and the Cadi of the prefecture. The candidate who may obtain a majority of votes will be nominated representative of his district. In those cases where the votes may be equally divided between two candidates, they will decide the matter by drawing lots, and he who is successful will become the representative. In both cases the Sheiks present will sign a statement of the result of the election. At Cairo, Damietta, and Alexandria, the election of representatives will be determined by a majority of votes among the notables of the three cities.

ART. 9. The deputies are elected for a period of three years, at the expiration of which time new members will be elected according to regulations of Arts. 7 and 8.

ART. 10. The members of the Assembly will not exceed seventy-five in number.

ART. 11. The presence of two-thirds of the members is necessary to constitute a quorum. In the event of any member being unable to attend the Assembly from some important motive, he will notify the president to that effect one month before the opening of the session. If the Assembly do not consider the cause assigned a valid reason for non-attendance, the member will be notified to that effect. Should the member persist in not taking his seat in the Assembly a fresh election will be held to replace him in the mode prescribed.

ART. 12. The members will sit in person, and cannot in any way be represented in the Assembly.

ART. 13. As soon as the Assembly meets a committee will be appointed among the members which will proceed to verify the elections and ascertain that all the legal conditions have been duly fulfilled in the case of each deputy returned. Those elections found to be in order will be definitely confirmed. Those deputies whose elections may not fulfil all the conditions prescribed by law will be replaced by other persons chosen and duly elected in the same localities.

ART. 14. After this verification the committee will pronounce upon the validity of each election, and will make its report to the president, who will submit it to the viceroy, in order that each member may afterward receive a personal decree confirming him in his quality of representative for three years.

ART. 15. A regulation fixing the extent of the functions of the Assembly, as well as the rules to be observed in the debates, will be delivered to the Assembly, according to the customary usage in similar circumstances.



ART. 16. The Assembly will meet this year on the 10th of the month Hatour (November 18th), and will sit until the 10th of the month Toubá (January 17, 1867). In the following years, however, the season will open on the 15th Kiahk (December 28th), and terminate the 15th Amcher (February 21st).

ART. 17. The viceroy will assemble, adjourn, prorogue, and dissolve the Assembly, and will notify the period for a convocation of a new Assembly within a certain fixed time.

ART. 18. The members of the Assembly can in no case receive petitions.

The opening of the first Council (which contained several Christian delegates) was subsequently postponed until November 27th. When the Viceroy, in his opening speech, reminded the delegates that his grandfather had put an end to the disorders which prevailed in Egypt, restored public security, and founded institutions which secured to the country a prosperous future. "My father (he added) continued the work which had thus been begun, aiming at the creation of an order of things in harmony with the state of modern society. Since my accession the constant object of my thoughts has been the development of public prosperity. I have often thought of establishing a representative council to consider important questions of an exclusively internal character. Such an institution possesses great advantages, constituting a safeguard and a protection of all interests. I have great satisfaction in now opening this council, and thank Providence for having permitted me to perform so solemn an act. I confide in your wisdom and in your patriotic sentiments. May God assist our efforts! In Him let us put our trust."

The address of the Egyptian delegates, in reply to the speech of the Viceroy, praises his administration, and expresses satisfaction that the Sultan, under the guidance of Divine inspiration, had granted to the present dynasty the right of direct hereditary succession to the vice-regal throne—a measure which the delegates consider to be the surest safeguard of the country's tranquillity, and the best guaranty for its future welfare. The delegates also thank the Viceroy for having established a National Assembly, and express their conviction that its deliberations, being inspired by earnest devotedness and enlightened patriotism, will conduce to public concord and to the prosperity of the land. The address concludes by invoking the blessing of the Almighty upon the Viceroy and his son.

The convention between the Viceroy of Egypt and the Suez Canal Company, relating to all the hitherto pending questions in connection with the construction of the canal, was signed on February 5th. The decision of the Emperor Napoleon as arbitrator has been strictly adhered to by the Viceroy. The Sultan telegraphed his approval of the convention.

**ELECTRICITY.** This is the science from which, above all others, mankind expect great things. To it belongs the most important scientific achievement of the year, the practical

annihilation of time and space between the Old and New Worlds. (*See TELEGRAPH, ELECTRIC.*) Since it can do so much, why cannot it do more? Why not light our streets, heat our houses, drive our locomotives and steamships, and heal our diseases? Really, there is no saying what would be visionary in our anticipations of the future of this science, for it is still in its infancy. Now that the electric telegraph has been brought to perfection, or, what is the same thing, made as good as the world requires, the men who have addressed their skill for some years to the improvement of that one useful application of electricity to the wants of the race, will naturally investigate more fully the other, perhaps more wonderful, possibilities of the mysterious power. To investigate in science, is to discover.

*Paradoxical Phenomena in Electro-Magnetic Induction, a New and Powerful Apparatus.*—At the April meeting of the British Royal Society, H. Wilde, Esq., reported a discovery which he had made of a means of producing dynamic electricity in quantities unattainable by any apparatus hitherto constructed. He has found that an indefinitely small amount of magnetism, or of dynamic electricity, is capable of inducing an indefinitely large amount of magnetism; and, again, that an indefinitely small amount of dynamic electricity, or of magnetism, is capable of evolving an indefinitely large amount of dynamic electricity. The apparatus with which the experiments were conducted consisted of a compound hollow cylinder of brass and iron, termed by the author a magnet-cylinder, the internal diameter of which was  $1\frac{1}{2}$  inch. On this cylinder could be placed at pleasure one or more permanent horseshoe magnets, each magnet weighing about 1 lb., and sustaining a weight of 10 lbs. An armature was made to revolve rapidly in the interior of the cylinder, in close proximity to its sides, but without touching. Around this armature 163 feet of insulated copper wire was coiled, 0.03 of an inch in diameter. The direct current of electricity was then transmitted through the coils of a tangent galvanometer; and as each additional magnet was placed upon the magnet-cylinder it was found that the quantity of electricity generated in the coils of the armature was very nearly in direct proportion to the number of magnets on the cylinder. When four permanent magnets, capable of sustaining collectively a weight of 40 lbs., were placed upon the cylinder, and when the sub-magnet was brought into metallic contact with the poles of the electro-magnet, a weight of 178 lbs. was required to separate them. With a larger electro-magnet, a weight of not less than 1,080 lbs. was required to overcome the attractive force of the electro-magnet, or 27 times the weight which the four permanent magnets used in exciting it were collectively able to sustain. It was also found that this great difference between the power of a permanent magnet and that of an electro-magnet, excited through its agency,



might be indefinitely increased. When the wires forming the polar terminals of the magneto-electric machine, were connected for a short time with those of a very large electro-magnet, a bright spark could be obtained from the electro-helices 25 seconds after all connection with the magneto-electric machine had been broken. Hence the author infers that an electro-magnet possesses the power of accumulating and retaining a charge of electricity in a manner analogous to that in which it is retained in insulated submarine cables, and in the Leyden jar. When four magnets were placed upon the cylinder, the current from the machine did not attain a permanent degree of intensity until after an interval of 15 seconds had elapsed; but when a more powerful machine was used for exciting the electro-helices, the current attained a permanent degree of intensity after an interval of four seconds.

Mr. Wilde then instituted experiments with a large electro-magnet excited by means of a small magneto-electric machine. The magnet-cylinders—two in number—had a bore of  $2\frac{1}{2}$  inches, and a length of  $12\frac{1}{2}$  inches. Each cylinder was fitted with an armature, round which was coiled an insulated strand of copper wire, 67 feet in length and 0.15 of an inch in diameter. Upon one of the magnet-cylinders 16 permanent magnets were fixed, and to the sides of the other magnet-cylinder was bolted an electro-magnet formed of two rectangular pieces of boiler-plate, enveloped with coils of insulated copper wire. The armatures of the  $2\frac{1}{2}$ -inch magneto-electric and electro-magnetic machines were driven (by steam-power) at a velocity of 2,500 revolutions per minute. When the electricity from the magneto-electric machine was transmitted through a piece of No. 20 iron wire, 0.04 of an inch in diameter, a length of three inches was made hot; when the direct current from the magneto-electric machine was transmitted through the coils of the electro-magnet of the electro-magnetic machine, 8 inches of the same size of wire were melted and 24 inches made red hot. When the electro-magnet of a 5-inch machine was excited by the  $2\frac{1}{2}$  inch magneto-electric machine, 15 inches of No. 15 iron wire 0.070 of an inch in diameter, were melted. A 10-inch electro-magnetic machine was then constructed, the weight of the electro-magnet being nearly 3 tons, and of the machine  $4\frac{1}{2}$  tons. The machine was furnished with two armatures—one for “intensity” the other for “quantity” effects; the intensity armature was coiled with 376 feet of No. 11 copper wire, weighing 232 lbs., and the quantity armature was enveloped with the folds of an insulated copper-plate conductor, weighing 344 lbs. These armatures were driven at a uniform velocity of 1,500 revolutions per minute. When the direct current from the  $1\frac{1}{2}$ -inch magneto-electric machine, having on its cylinder six permanent magnets, was transmitted through the coils of the 5-inch electro-magnetic machine, and the direct current from

the latter transmitted to the electro-magnet of the 10-inch machine, an amount of dynamic electricity was evolved from the quantity armature sufficient to melt pieces of an iron rod 15 inches long, and fully one-fourth of an inch in diameter. With the same arrangement the electricity from the quantity armature melted 15 inches of No. 11 copper wire, 0.125 inches in diameter. When the intensity armature was placed in the magnet-cylinder, 7 feet of No. 16 iron wire were melted, and 21 feet of the same wire made red hot. The illuminating power of the electricity from the intensity armature was so great as to cast shadows from the flames of the street lamps a quarter of a mile distant. When viewed from that distance, the rays proceeding from the reflector were said to have all the rich effulgence of sunshine. A piece of ordinary sensitized paper, when exposed to the action of the light for 20 seconds, at a distance of two feet from the reflector, was darkened to the same degree as when a piece of the same paper was exposed for one minute to the direct rays of the sun on a clear day in the month of March.

These extraordinary powers of the 10-inch machine are all the more remarkable, because they have their origin in six small permanent magnets, weighing only 1 lb. each, and capable collectively of sustaining only 60 lbs., while the electricity from the magneto-electric machine is of itself incapable of heating to redness the shortest length of iron wire of the smallest size manufactured.

*Thermo-Electricity.*—M. Becquerel has recently published an elaborate memoir on the thermo-electric power of different alloys and the construction of thermo-electric batteries. For thermo-piles of low temperatures he recommends an alloy consisting of equal equivalents of antimony and cadmium, with one-tenth the weight of bismuth for the positive metal, and an alloy of ten of bismuth to one of antimony for the negative metal. For piles of a high tension, the negative should be of German silver, and the positive may be either the above mixture of antimony, cadmium, and bismuth, or fused and annealed sulphide of copper; the latter stands the greatest heat, but also gives the highest resistance. Sulphide of copper being a very bad conductor of heat, it will scarcely be found necessary to cool the other ends; but this should be done when a metal is used, and the length of the bar should in that case be increased. Thermo-electric piles, on account of their low tension, cannot yet replace hydro-electric batteries, but for special purposes, and particularly for the study of radiant heat, they offer new facilities.

*Electric Conductivity of Gases under feeble Pressures.*—M. Morren communicates to the *Annales de Chimie et de Physique*, some account of his experiments on the electric conductivity of certain gases. For each gas there is a certain pressure, at which the conductivity is at its maximum, as follows:



	Max.		Millims.
Hydrogen.....	174	under pressure of	2.0
Oxygen.....	174	“	0.7
Air.....	172	“	0.7
Carbonic Acid....	168	“	0.8
Nitrogen.....	162	“	1.0

M. Morren remarks that the conductivity of compound gases which the current decomposes is generally very small, and commences late. Thus carbonic oxide commences to allow the current to pass only under a pressure of 11 millims; carburetted hydrogen of 16 millims; and sulphurous acid of 5 millims. Cyanogen allows the current to pass under a pressure of 5 millims. The passage of electricity through rarefied cyanogen is accompanied by brilliant luminous phenomena.

*The Passage of the Spark of an Induction Coil through Flame.*—M. A. Kundt contributes to *Pogg. Annalen* for May, his observations on this subject. He says that when the spark is passed through the flame the latter is intensely luminous in the path of the spark, and under certain circumstances a brightly luminous path of sparks is traversed by dark cross bands. During the transition of a spark the flame is always extinguished above; but the part below the spark is always constant and steady. The extinction of the upper flame at each spark is supposed to be due to the fact that the spark causes a very rapid combustion of the gases in its path, and then, by the mechanical pressure which the spark thereby exercises on all sides, the access of gas from below is prevented for a moment. The author viewed the phenomenon through a rotating disk, in which there were several narrow slits. Viewed at right angles to the direction of the passing spark, the flame above the spark seemed formed of bright and dark layers; viewed in the direction of the spark, layers in the proper sense were not seen, but dark circles continuously rising from the flame. It is best for the latter observation if one electrode is in the flame, the other remaining outside.

*Voltaic Conduction.*—The *Philosophical Magazine* for January, 1866, contains a note from J. J. Waterston, giving the results of an experiment made by him to determine whether the electric force of the voltaic pile is conveyed by the entire thickness of the conductor, or by the external surface only. He provided two polished steel cylinders exactly alike, three inches long and one-tenth of an inch in diameter. One he covered with bright copper wire one-hundredth of an inch in diameter, and the other with steel wire, one-fiftieth of an inch in diameter. The two cylinders were connected end to end by a thin copper wire, the interval bridged by the wire being about one-fourth of an inch. The other ends of the cylinders were similarly connected to the polar terminals of a Bunsen cell half charged. These terminals were made from a rope of No. 16 copper wire twisted together, each wire about eighteen inches long. After waiting two or three minutes this steel-covered cylinder was found to be much hotter

than the copper-covered one. It was possible to keep the copper-covered one pressed to the lips for a second or two, but not so the steel-covered one. The temperatures were persistent. Taking copper as having one-eighth the resistance of steel, and the rise of temperature to be in the inverse ratio of the fourth power of the diameter of the cylinders, or conducting wires, the temperature of these two cylinders ought to be nearly the same, if the force is conducted by the whole thickness, instead of by the surface alone; whereas, if by the surface alone, the rise of temperature in the steel-covered one ought to be three or four times that in the copper-covered one.

*St. Elmo's Fire.*—Captain Briggs, commander of the steamer Talbot, furnished to Professor Frankland an account of a splendid exhibition of this rare electrical phenomenon, which occurred in the Irish Channel on the 7th of March, 1866. During a snow-storm, which lasted three hours, a blue light appeared at each masthead of the steamer, and one from each gaff-end; one was also seen on the stemhead, which the captain examined. He found that the light was made up of a number of jets, each of which expanded to the size of half-a-crown, of a beautiful deep violet color, and making a hissing noise. Placing his hand in contact with one of the jets, a sensible warmth was felt, and three jets attached themselves to as many fingers, but he could observe no smell whatever. Sometimes these jets went out, returning again when the snow was heaviest. This was from one to three, A. M.; at daylight the captain carefully examined the place, but discovered no discoloration of the paint. The stem in that part was wood, with iron plates bolted on each side, and it appeared to him that the jets came between the wood and the iron. The barometer stood at 29.10 in. The ship was an iron one, but he did not observe any effect upon the compass. He had seen the same phenomenon abroad, but never before in these latitudes.

*An Electrical Paddle-Engine.*—Count de Molin is the designer of an electrical paddle-engine which is adapted for a small boat intended to ply on the large lake of the Bois de Boulogne, and constructed as follows: There are two upright hoops, about two feet six inches in diameter, placed three inches apart, in the periphery of each of which are encased sixteen electromagnets, placed opposite to each other. Between these there is another hoop, or wheel, of soft iron, of the same diameter as the others, and so articulated as to receive, when alternately attracted by the magnets, at each side, a sort of rolling motion from side to side. To this wheel is fixed an axis about seven feet long, which forms the prime moving shaft of the machine. When the wheel between the magnets takes its rolling motion, it causes the ends of the axis to describe circles; one end turning the crank of a fly-wheel, and the other being adapted to a framework, on the same principle as the pantagraph, which enlarges the motion



received from the central disk, and communicates it in the form of a stroke by a connecting rod to a crank on the paddle-shaft. The end of the moving bar also sets to work the distributors for alternately establishing and cutting off the electric communication between the magnets and the battery. In all there will be sixteen elements of Bunsen's, and the force of the machine is about one man power. The paddle-wheels are two feet six inches in diameter. —*Popular Science Review*, July, 1866.

*Application of Electricity to Sounding at Sea.*—M. Hedouin, of Lyons, has invented a sounding apparatus, consisting of a line within the whole length of which run two conducting wires, the upper ends of which are connected respectively with the poles of a galvanic battery placed in the ship. The lower ends are never connected, and, consequently, the circuit is never complete until the lead touches bottom. When this occurs, the lower portion of it, which slides into the upper, presses a small piece of metal against the two lower ends of the wires. The instant the circuit is thus completed, a bell is rung by an ordinary electro-magnetic apparatus, and thus the attention of the sounder is drawn to the fact that the lead has touched bottom. Besides this, a ratchet is, by similar means, thrown into action, and instantly arrests the descent of the line from the reel on which it is coiled; and thus, even the attention of the sounder is rendered of less importance. If there is danger of the vessel getting into shallow water, or among sunken rocks, a sounding line of given length, suspended from the vessel, will give instant notice of danger.

*Improved Electrotypes Process.*—Christoffe and Bouillet of Paris have introduced great improvements into the electrotypes process. They add to the silver bath sulphuret of carbon or an alkaline sulphuret which produces a small quantity of sulphate of silver, and this, for some unexplained reason, causes the silver deposit to be as brilliant as if it had been carefully burnished. They add to the common sulphate of copper bath a moderate quantity of gelatine, which causes the copper deposit to be as compact and dense as the best rolled sheet-copper. They also secure great economy in their operations by attaching plates of lead to the platinum wire which forms the interior skeleton of the mould used for the production of articles in relief.

*New Electric Fire Alarm.*—M. Robert Houdin has invented an electric alarm of extreme delicacy. It is formed by soldering together a blade of copper and another of steel, fixing one end of the compound blade to a board, along which it lies parallel but not in contact. Near the free extremity of the blade is a metallic knob in conducting communication with one pole of a galvanic battery, the free end of the compound blade being in connection with the other. When the temperature of the surrounding air (from a fire breaking out) is increased, the blade becomes curved, and, com-

ing in contact with the metallic knob, the battery connection is complete. This causes a small bell to ring. The apparatus is so sensitive that a lighted cigar or taper placed within a few inches of it will cause a ringing of the bell.

*Cheap Electric Battery.*—M. Gerardin, in a note to the French Academy of Science, proposes to obtain a battery of feeble tension, but of considerable quantity, and cheap, by substituting in the Bunsen battery, chippings of wrought or cast iron in place of zinc. An iron plate in contact with them serves as a conductor, and the exciting liquid is ordinary water. In the porous cell, the Bunsen carbon, made of gas coke, pulverized and cemented by paraffine, is immersed in a solution of perchloride of iron, to which some aqua regia is added. The pile can be made of large dimensions, and it is said that great quantities of electricity can be obtained from it at a very small price.

*The Holtz Electrical Machine.*—This is a recent invention for the production of electricity. Two glass plates—made of thin plate-glass varnished with shellac—are placed in close proximity to each other, one of them being permanent and the other movable and rotated by the ordinary winch and pulley-wheel. The movable plate is a little smaller than the other, and supported on an axle which passes through a large central hole in the other. The latter plate, besides the central hole, has four other holes, of a circular shape. At the side of each of these openings is pasted a strip of paper with a point of card projecting into it. The rotation of the movable plate is in the direction from point to base of the card projections. Opposite to each of the paper strips (but with the revolving plate) is a brass comb or collector supported in a crosspiece of vulcanite by appropriate brass rods. The four brass collectors may be united in various ways by bent wires for different effects. The movable plate being put in rotation, the paper strips are charged by touching them with a piece of vulcanite, excited by a stroke over a rabbit-skin, and at once the whole machine is in activity and giving out sparks of great volume and intensity, which may be continued for an indefinite time without further charging. There are no rubbing parts in the machine, the whole effect being developed by induction, or the disturbance produced in the electric fluids by the repulsion of like and attraction of unlike kinds. Yet this machine exhibits all the effects of frictional electricity. A torrent of sparks can be produced between the terminal balls, each giving a report like the explosion of a torpedo; and, by a different adjustment, a continuous jet of electric fire is displayed, seeming to pass in a tassel of purple light trimmed with golden beads, and emitting a hissing sound like that of escaping steam. The Geissler tubes are operated by the Holtz machine with fine effect. —*Jour. Frank. Institute*, October, 1866.



*Papers on the subject.*—Contributions to the literature of electricity during the year have been few, and, for the most part, unimportant. The *American Journal of Science* for July contained an essay on the *Production of Thermo-Electric Currents by Percussion*, by Professor O. N. Rood; and the same magazine for November and January (1867), an elaborate paper by Mr. Herman Haug, entitled, *Experiments on the Electro-Motive Force, and the Resistance of a Galvanic Circuit*. At the August meeting of the American Association for the Advancement of Science, E. B. Elliott read a paper on *The Mutual Action of Electrical Currents*, and Dr. Bradley one on *The Galvanic Battery*.

ELY, ALFRED, D. D., a Congregational clergyman, born in West Springfield, Mass., November 8, 1778; died at Monson, Mass., July 6, 1866. Leaving his home at the age of fifteen, he resided first at Springfield, then at Hartford, until his twenty-first year, when, soon after, he began the study of Latin grammar with a view to prepare himself for college and the work of the ministry. In October, 1802, he entered the junior class at Princeton, where he graduated in September, 1804, and was immediately elected a tutor in that college, where he remained one year. He then returned to West Springfield and commenced the study of divinity with the pastor of his youth, the celebrated Dr. Lathrop of that place. He was licensed to preach in February, 1806, and in June of that year he preached his first sermon at Monson and was ordained the following December. His pastorate was as remarkable for its success as for its great length. Living always in one place of service, which he never desired to leave, he became identified with all its interests, ecclesiastical and temporal. He was a trustee of Monson Academy from 1807 till his death, and he was only a few days previous elected, the forty-seventh time successively, to the office of president of the board. He was one of the earliest trustees of Amherst College, and in that office assisted in sustaining the institution in all the difficulties and discouragements of its early history. He was elected in 1840 a corporate member of the American Board for Foreign Missions, and in that great enterprise has always been an ardent and efficient helper. Several of his sermons have been published.

ESTERHAZY, Prince PAUL ANTOINE, a Hungarian nobleman, born March 10, 1786; died at Ratisbon, May, 1866. He was the representative of the oldest branch of an illustrious Hungarian house, and in some respects was one of the most widely known of the Magyar nobility in Europe. In the first quarter of the century he was acting as ambassador to Dresden. In concert with the Princes de Metternich and de Schwarzenburg, he contributed to the arrangement of the marriage of Napoleon I. with Maria Louisa. In 1814, during the Congress of Châtillon, he accepted a secret mission to Napoleon,

with a view to induce the emperor to make peace. Afterward he was ambassador of Austria at Rome, and acted as representative of that power at the coronation of Charles X. He was also for several years Austrian ambassador at London, where he took a prominent part in the negotiations which brought about the creation of the kingdoms of Greece and Belgium. In 1841 he withdrew for a time to private life, but in 1848 he occupied for a few months a position in the Hungarian ministry, under Count Louis Batthyányi, but retired when he saw that a rupture with Austria was inevitable. His landed possessions were immense. Owning hundreds of manors, chateaus, villages, and estates in Hungary, he possessed besides large manors in Lower Austria, in Baden, and in Bavaria. His grandest palace was at Eisenstadt, on his Hungarian possessions. His collections of works of art and precious stones were such as to rival those of kings. It is said that when some one was calling attention to a fine specimen of lapis lazuli he looked at it indifferently and remarked, "I have a mantel-piece made of that at home." His last appearance in a foreign court was as representative of Austria in 1856, at the coronation of Alexander II., emperor of Russia.

EUROPE. According to the latest and most accurate statements the area of Europe amounts to 3,778,561 English square miles, and the aggregate population, according to the censuses taken up to the end of the year 1865, to 285,000,000.\* We give in the present volume of the ANNUAL CYCLOPÆDIA an article on every European country, with the exception of the following: *Andorra*, a little republic lying between Spain and France, area about one hundred and seventy English square miles, population about twelve thousand; *San Marino*, a little republic within the bounds of Italy, area about twenty-two English square miles, and five thousand seven hundred inhabitants (in 1850), and the principality of *Monaco*, which after the sale of Mentone and Rocca-bruna to France (in 1861) contains only the community of Monaco, with an area of about six square miles, and one thousand eight hundred and eighty-seven inhabitants.

The year 1866 will be noted in the history of Europe for the most important war which has been carried on since 1815 (*see GERMAN-ITALIAN WAR*); and for the most important territorial change which has yet been made in the map of Europe, as arranged by the Congress of Vienna. The Germanic Confederation was declared to be dissolved, and the large majority of the States belonging to it formed a new one, called the North German Confedera-

\* These totals are given in Brehm's *Geographisches Jahrbuch* (Gotha, 1866), the completest and most trustworthy source of information on all matters of geography. In some articles, as for instance France, we are able to give later statistics of population, but do not change the totals, as the difference is not considerable, and at the time of this page going to press we cannot yet ascertain from which countries we may get later statistics.



tion, which is entirely under the control of Prussia. Four of the old German States, Hanover, Hesse-Cassel, Nassau, and Frankfort, as well as the Duchies of Schleswig and Holstein, were entirely incorporated with Prussia, whose population thus rose from nineteen millions to twenty-three millions five hundred thousand, while the whole of the North German Confederation counts only twenty-nine millions. Austria was altogether excluded from the new confederation, and so were Bavaria, Würtemberg, Baden, Lichtenstein, and a part of Hesse-Darmstadt. Bavaria, Würtemberg, Baden, and Hesse-Darmstadt, which together have a population of about eight millions, were at liberty to form a South German Confederation, but none of those governments found it expedient to make any advances in this direction, and that of Baden even expressed a wish to be admitted as soon as possible into the North German Confederation—a wish which was supported by nearly all the members of the Legislature. (*See GERMANY.*)

The treaty concluded between Austria and Italy gave to the latter power the long-coveted Venetia, thus reducing the population of Austria from thirty-five millions to thirty-two millions five hundred thousand, and increasing that of Italy from twenty-two millions to twenty-four millions five hundred thousand. The annexation was made dependent upon the popular vote, which, as everybody expected, resulted in an almost unanimous decision in favor of that measure. Thus the unity of the Italian nation has become nearly complete; only the Papal dominions, the southern districts of the Tyrol, with a small portion of Istria, and the Island of Corsica remaining for the present disconnected from the main trunk of the nation. The most important of these disconnected fragments, the Papal States were, in December, 1866, evacuated by the French troops, in accordance with the stipulations of the Franco-Italian convention concluded in 1864. Negotiations were resumed, after the evacuation, between the Pope and the Government of Italy. (*See ITALY and PAPAL STATES.*)

Besides the great German-Italian war, several other wars disturbed the public peace of Europe. At the beginning of the year an insurrection broke out in Spain, headed by General Prim, but the Government succeeded in quelling it before it had become general. (*See SPAIN.*) In Turkey, the inhabitants of the island of Candia, a large majority of whom are Christians, rose against Mohammedan rule, and an assembly of representatives decreed the annexation of the island to Greece. Great sympathy with the movement was manifested in Greece, in Russia, and in the Christian provinces of Turkey; but as the insurgents received little material aid from abroad, the object of the insurrection had at the close of the year not been achieved. Insurrectionary movements and symptoms were, however, manifesting themselves in most of the

Christian provinces of Turkey and threatening new troubles for 1867. (*See CANDIA and TURKEY.*) Ireland, in the latter months of the year, was greatly agitated by the Fenian movement. The statesmen and papers of England were compelled to admit that the immense majority of Irishmen are in sympathy with it, and that nothing but force prevented the success of the Fenians. No serious outbreak occurred, but, on the other hand, no progress was made toward a lasting pacification of the discontented island.

The result of the German-Italian war was the complete success of the nationality principle, as far as Italy is concerned; and, therefore, gave a powerful impulse to the nationality movements in every country. The most important scene of this movement will, henceforth, be Germany, where the disconnected elements in South Germany and in Austria are yearning for a future reunion of all Germans. The opinion that this can henceforth only be accomplished under the leadership of Prussia, was rapidly gaining ground in the latter months of the year, although the most determined among the opponents of Prussia endeavored to counteract the advance of those union tendencies by proposing a union with the German cantons of Switzerland. (*See GERMANY.*)

Hungary carried its point against Austria, and the Magyar nationality reoccupies a conspicuous position in Europe. But the success of the Magyars gave at the same time a powerful impulse to the Pan-Slavic tendencies in Austria and Turkey, which aim at separation from Hungary no less than from Austria and Turkey, and at the establishment of new Slavic empires. (*See AUSTRIA, HUNGARY, and TURKEY.*) Another great victory of the nationality principle was gained in Roumania, to the people of which country the Turkish Government had, with great reluctance, to concede the permanent union of the formerly separated provinces (Wallachia and Moldavia) under a prince of the House of Hohenzollern and his descendants. (*See ROUMANIA.*)

The conflict between the Progressive party—which demands a larger share in the administration of States for the representatives of the people—and the Conservatives—who oppose any further extension of popular rights—was carried on in every country of Europe with great animation. In Sweden, the new constitution—which in 1865, had been adopted by the Estates—went into operation, and thus was added another to the number of countries which have a liberal representation of the people. In England, the Liberal ministry was defeated on the reform question, and succeeded by a Tory ministry; but in consequence of this unexpected defeat in Parliament, the Reform party resumed the agitation among the people with renewed vigor, and called forth the greatest popular demonstrations in favor of reform which England has ever witnessed. A visit of John Bright to Ireland brought on a better understanding between the English Reformers and



the National party in Ireland—an event which may contribute to the speedier victory of the movement in both countries. The Liberal party in France showed an increased strength at some supplementary elections for the legislative body, and in the latter part of the year it greatly gained in popular favor by the failure of the Imperial schemes in Mexico and Italy. In Italy, the party of action (Democratic party) was more numerous in Parliament than at any former period, and was steadily gaining ground among the people. In Spain, the Government abolished the liberty of the press and suspended the Constitution; but the Progressive party was cheered by the hope that the madness of the Government would hasten the triumph of Liberalism. In Prussia, the Liberals deemed it necessary to support the Government in the national question, and in return received many important concessions. The Austrian Government, in order to allay popular discontent, again made the most liberal promises, but as usual, delayed their execution.

EVANS, ROBERT WILSON, archdeacon of Westmoreland, an eminent clergyman and author, born at Shrewsbury in 1789; died at the vicarage, Westmoreland, March 10, 1866. He

was educated at Shrewsbury School and at Trinity College, Cambridge, where he graduated with high honors in 1811. Having obtained his fellowship he soon became classical tutor of his college, but even the strong attractions of Cambridge, and the companionship of literary men, failed to satisfy his higher aspirations. He longed to devote himself to parish work. In 1836 he accepted the vicarage of Tarvin, Cheshire, and after a few years of faithful labor here, was called in 1842 to the vicarage of Haversham, Westmoreland. Having been designated to the archdeaconry of Westmoreland by the Bishop of Carlisle, only a few days before the death of that prelate, the appointment was confirmed by his successor, and Mr. Evans held that position to the great satisfaction of the clergy and laity of the district until 1864, when he resigned on account of his advancing years. Of his published works, which are numerous, those which are best known are "The Rectory of Valehead," "Scripture Biography," "Biography of the Early Church," "The Bishopric of Souls," "The Ministry of the Body," and his "Parochial Sermons." His writings are characterized by genius, scholarship, and sound theology.

## F

FAIRHOLT, FREDERICK WILLIAM, F. S. A., an English author and artist, born in London in 1814; died at Brompton, April 3, 1866. In early life he evinced great aptitude for reading and drawing, and at the age of twenty-one drew several illustrations for the "Pictorial History of England," then being published. Subsequently he prepared illustrations for the "Pictorial Bible," "Penny Magazine," "Illustrated Shakespeare," and a natural history. In 1840 he was employed on the "Antiquities of Egypt," published by the Tract Society. In 1843 appeared his first purely literary work, a "History of Lord Mayor's Pageants." Some of the finest examples of his engravings are found in the "Archæological Album." He was draughtsman for the British Archæological Association from 1844 to 1852, when he resigned the office and retired from the society. In 1846 appeared his history of "Costume in England," a work of much labor and research, which was republished in 1860. From 1855 to 1857 he compiled and illustrated a "Dictionary of Terms in Art," and in 1858 edited the "Dramatic Works of John Lilly," in two volumes. These and many other contributions to leading publications, especially to the "Art Journal," occupied his later years. In 1856 Mr. Fairholt visited the south of France and from thence went to Rome, an account of which journey he gave in the "Collectanea Antiqua," vol. v. Later he went to Egypt, and upon his return published his "Up the Nile and Back Again." His last work was a "History of Pageantry in the Middle Ages."

Some of his most valuable works he bequeathed to the Society of Antiquaries and British Museum, and the proceeds of his libraries and antiquities to the Literary Fund.

FARINI, CARLO LUIGI, a celebrated Italian author and statesman, born at Russi, in the Roman States, October 22, 1822; died at Genoa, August 2, 1866. Having studied medicine at Bologna, he soon became noted for his knowledge of organic diseases and for his essays in various scientific journals on subjects connected with his profession; but becoming involved in the political movements of 1841-'43, he was compelled to quit the Pontifical territory, and practised his profession successively at Marseilles, Paris, Florence, and Turin. Returning to his country after the amnesty proclaimed on the accession of Pius IX., he was appointed Professor of the Clinical Department at Osimo. Subsequently accepting office under the Home Minister, he became deputy for Valenza in 1848, and was appointed director-general of health and of the prisons by Count Rossi. Farini, whose political opinions were of the moderate order, refused to adhere to the proclamation of the Republic, and consequently retired into Tuscany. After the French army had established itself in Rome, he sought to resume his functions, but was opposed by the three cardinals, who conducted the Government in the name of the Pope, and was thus compelled again to go into exile. This time he went to Piedmont, where his great abilities were highly appreciated, and every opportunity afforded him for



exercising them in the public service. After editing for some time the *Risorgimento*, he was appointed Minister of Public Instruction, having a seat at the same time in the Piedmontese Parliament. He played an important part in the stirring events of 1859. On the expulsion of the Duke of Modena, he was chosen Dictator of the Duchy, and aided greatly in bringing about the annexation of Modena and Parma to Piedmont. In 1860 we find him in Naples as Commissioner from the King of Italy, assisting in the arrangement by which Naples was to become part of the new Italian kingdom. He held office as Minister of Commerce and of Public Works in the last cabinet of Cavour, and earnestly defended the policy of alliance between France and Italy. In consequence of the failure of his health, owing to close application to his public duties, he declined entering the Ministry of Ratazzi in 1862, but in December of the same year, he was named by royal decree President of the Cabinet. This post ill health compelled him to resign in March of the following year, his son Minghetti taking his place, the Parliament at the same time voting him a grant of 20,000 francs and a pension of 25,000 francs. His principal works are "The Roman States," a "History of Italy," and "Letters to Lord John Russell and to Mr. Gladstone."

**FENIAN BROTHERHOOD.** The year 1866 was marked by overt acts of hostility against the British Government in America, on the part of the American Fenians, who, up to that period, had devoted their energies to the raising of money to advance the cause of independence in Ireland. In the early part of the year the dissensions which had been fomenting for some time in the bosom of the brotherhood, resulted in a rupture into two sections, known as the "O'Mahony" and the "Roberts," from the names of their respective chiefs. Charges of incompetency and dishonesty were freely exchanged between the belligerents; but the effect of this war of words, contrary to the general expectation, was to stimulate each party to do something to reinstate themselves more fully in the confidence of those who sympathized in the Fenian movement. This could be done quickest and best by an attack on some exposed point of the British dominions on this continent; for it was conceded by both parties that it would be impracticable to operate directly for the liberation of Ireland after the failure of the insurrection of the previous year. Both parties were successful in obtaining money from their adherents, by means of proclamations, public meetings, and organized private efforts.

The O'Mahony faction were the first in the field. In the month of April an iron steamer was purchased in New York, and manned with a skilful crew, for the purpose of carrying arms to Eastport, Maine, from which point a descent was to be made upon the island of Campobello, belonging to New Brunswick, and only a few miles distant from Eastport. Major B. Doran Killian had charge of the expedition. The men

composing the invading force, numbering about five hundred, quietly gathered at Eastport, coming by rail and steamboat from various points, and then anxiously awaited the arrival of the war steamer with the arms. The sailing of that vessel was, however, countermanded by O'Mahony, who also sent an agent to Boston to order the return home of fifty of the New York men, who were there awaiting transportation to the front. After a delay of some days, which were spent in holding public meetings and parading the streets of Eastport, a schooner arrived from Portland with seven hundred and fifty stands of arms, the offering of Fenian sympathizers in that city. The British consul at Eastport complained, and the arms were seized by order of the United States Government. A large British war steamer anchored off Campobello, but that did not prevent the crossing and landing of small bodies of Fenians, and others who desired to do so from the mainland. Troops were moved to the front from St. John, to prevent an invasion of the province, and a detachment of United States regulars were also sent up from Portland to Calais, at which point a considerable number of the Fenians had assembled. General Meade arrived on the 19th, and telegraphed to Portland for more troops, who were forwarded. A few days later, the Fenians, totally discouraged at the lack of support from their friends in New York, abandoned the enterprise and made their way home as best they could. Thus ended the expedition—the only result of which was to embitter still more the relations between the rival wings of the organization.

On the 10th of May, Head Centre Stephens, who had escaped from a British prison toward the close of 1865, arrived in New York, and met with a warm reception from both the O'Mahony and the Roberts factions, which were each desirous of securing his approval and co-operation. Some days after his arrival, O'Mahony tendered his resignation, which was accepted, and Major Killian was removed. Mr. Stephens apparently exerted himself to the utmost to restore good feeling between the factions, but without success. The Roberts party came to an issue with him on the question of the expediency of invading Canada. To this he was opposed, urging that every effort should be concentrated upon the raising of large sums of money for the "men in the gap" in Ireland. He asserted that these men, numbering hundreds of thousands, needed only money to win their independence. The factions, as before, spared no opportunity to assail each other's motives.

The Roberts party, under the military direction of General Sweeney, began to move in the latter part of May. On the 19th of that month one thousand two hundred stands of arms were seized at Rouse's Point by the United States custom-house officers. The Fenian centre at Ogdensburg claimed them, but they were detained by the United States authorities. On



the 29th, about four hundred Fenians, partly armed and carrying colors, passed through Cleveland, Ohio, going east. A number of Fenians also left Cincinnati for the east; and movements of the body were reported from many points of the west and southwest. On the 30th the Fenians assembled in secret convention at Buffalo, and an immediate descent on Canada was talked of. Ten cases of arms, containing about one thousand stands, were seized on the same day at St. Albans by the United States authorities. On the 31st two hundred Fenians left Boston for Ogdensburg, and several companies started from New York and Boston for the west.

Canada was thoroughly aroused at the prospect of an invasion. The whole volunteer force of Western Canada was ordered to be mobilized and placed under command of Sir John Michel. Companies of regulars and volunteers were moved to the threatened points from Toronto, Hamilton, London, and St. Catharine.

The invasion took place on the 1st of June. A force variously estimated at from twelve hundred to fifteen hundred men crossed the Niagara River at Buffalo in canal boats, and took possession of Fort Erie, an old work then unoccupied. The Fenians were under command of Colonel O'Neil, a graduate of West Point, an officer who had won some reputation during the recent American war. The invaders generally conducted themselves with decorum, though they levied on the people for rations and horses. On the 2d the Fenians and Canadian volunteers, who had marched rapidly to meet them, came into collision, and a sharp skirmish ensued, in which nine volunteers were reported killed and a much larger number wounded. A number of Fenians were taken prisoners. On the same day General Grant arrived in Buffalo, and took steps to prevent any more Fenians from crossing the river. He issued an order to General Meade, directing that General Barry be assigned to the command of the frontier, and intimating that, in the event of further and more serious difficulty, it might be advisable for State troops to be called out. On the night of the 2d the invasion culminated. The Fenians being without supplies, artillery, and reinforcements, left their encampments and attempted to withdraw to the American shore. The United States gunboat Michigan intercepted and arrested about seven hundred of the number.

General Barry, then in command on the frontier, accepted the following parole from over fifteen hundred of the men, belonging to the commands of Colonel Starr, of Louisville; Captain Kirk, of Chicago; Colonel McDonough, of Philadelphia; Captain Donohue, of Cincinnati; Captain Haggerty, of Indianapolis, and others, and provided transportation for them to their homes:

We, the undersigned, belonging to the Fenian Brotherhood, being now assembled in Buffalo, with

intentions which have been decided by the United States authorities as in violation of the neutrality laws of the United States; but being now desirous to return to our homes, do severally agree and promise to abandon our expedition against Canada, desist from any violation of the neutrality laws of the United States, and return immediately to our respective homes.

The destinations of the men were as follows:

Cleveland .....	23
Detroit.....	1
Jackson, Mich.....	1
Chicago.....	623
Milwaukee .....	29
Oil City, Pa.....	37
Nashville.....	5
Danville, Ill.....	32
St. Louis.....	63
Cincinnati.....	259
Louisville .....	122
Indianapolis.....	23
Peoria, Ill.....	62
Terre Haute.....	12
Fort Wayne.....	31
La Porte, Ind.....	15
Pittsburg.....	146
Meadville.....	22
Other points.....	60

Total.....1566

The officers were relieved on giving \$500 bail each to appear at Canandaigua when required to answer for an infraction of the neutrality laws.

Fenians continued to pour into Buffalo to the number of two thousand men, it was said, but were ordered back by their commanding officers. President Roberts issued an order, advising the abandonment of the enterprise for the present.

Brigadier-General Burns, of the Fenian forces, published the following proclamation:

BUFFALO, June 14, 1866.

*To the Officers and Soldiers of the Irish Army in Buffalo:*

BROTHERS: Orders having been received from President Roberts requesting you to return to your homes, it becomes my duty to promulgate said order in this department. Having been but a day or two among you and witnessing with pride your manly bearing and soldierly conduct in refraining from all acts of lawlessness on the citizens of this city, it grieves me to part with you so soon. I had hoped to lead you against the common enemy of human freedom, and would have done so had not the extreme vigilance of the Government of the United States frustrated our plans. It was the United States, and not England, that impeded our onward march to freedom. Return to your homes for the present, with the conviction that this impediment will soon be removed by the representatives of the nation. Be firm in your determination to renew the contest when duty calls you forth. The cause is too sacred to falter for a moment. Let your present disappointment only prompt you to renewed energy in the future. Be patient, bide your time, organize your strength, and as liberty is your watchword, it will finally be your reward. In leaving this city, where you have bountifully shared the hospitality of its citizens, I beg of you to maintain the same decorum that has characterized your actions while here. In issuing this order I cannot refrain from returning my thanks to General Barry, for his marked courtesy in the performance of his duty as an officer and a gentleman.

M. W. BURNS,

Brig.-Gen. Com. Irish Army at Buffalo.



Simultaneously with the movement from Buffalo, Fenians were reported to be concentrating at St. Albans and Malone, Vt., for the purpose of invading Canada, from that quarter. The Canadian volunteers promptly rallied to repel the expected attack. Steamboats were ordered to be used as gunboats on Lake St. Peter. A Fenian advance in strong force was falsely reported on the 4th of June, and Captain Carter, in command of the troops at St. Armand, fell back to St. Alexander. On the 5th General Meade reached Ogdensburg, and commenced active operations to prevent hostilities. A large number of United States regulars had been ordered up to support him. The Attorney-General of the United States gave orders, by direction of the President, for the arrest of the principal Fenians engaged in the movement. The President also issued a proclamation for the preservation of neutrality.

On the 7th, the Fenians, reported to be from one thousand to one thousand two hundred strong, crossed the boundary and advanced to St. Armand, which had been evacuated by the Canadians.

On the same day, General Sweeney and his staff were arrested at St. Albans, Roberts at New York, and several officers at Buffalo. General Spear, being in command of the invading force, escaped. The Fenians levied on the Canadians for their supplies, but had no occasion to fight. On the 9th, Canadian troops advanced from St. Alexander to St. Armand, and the Fenians retired, fifteen of their number being taken prisoners. General Meade's prompt exertions prevented further trouble. He arrested and turned back two car-loads of Fenians on their way to the scene of action, accepted the paroles of the officers, and provided transportation, for all who required it, to their homes. Mr. Roberts having refused to give parole, or bail, was detained for several days in the New York county jail, and was then released.

In August, it was expected that another and more serious invasion would take place on the occasion of the Fenian picnic at Clinton Grove, near Buffalo, on the 21st. Over 3000 Fenians, mostly from Buffalo and the immediate vicinity, appeared in the procession, many of them organized as companies and armed. At the Grove about 12,000 persons were assembled. After feasting, dancing, and other amusements, the spectacle of a sham fight took place between the "Queen's Own," and the "10th Royals," personated by Fenian companies, and a force of Fenians proper. The battle of Limestone Ridge was fought over again with great effect, minus the killed and wounded. After the mimic conflict, General O'Neil and others made speeches, and thus terminated the day, without harm to the integrity of the British provinces.

"A Fenian Congress," called by President Roberts, convened at Troy on the 4th of September. There was a large attendance, Mr.

Roberts was reëlected President, and the following officers were also chosen: Senators, P. J. Meehan, New York; William Fleming, Troy; F. B. Gallagher, Buffalo; A. L. Morrison, Missouri; James Gibbons, Philadelphia; J. C. O'Brien, Rochester; William McQuirck, New Haven, Conn.; John Carlton, New Jersey; Thomas Redmond, Indiana. President of the Senate, P. J. Meehan. Speaker of the House, J. W. Fitzgerald, Cincinnati, Ohio; Clerk, G. G. Carroll, Geneva, N. Y. General Sweeney resigned, and President Roberts appointed Colonel Michael Bailey, of Buffalo, Chief Military Organizer, and Colonel O'Neil, Inspector-General of the Fenian Army. Resolutions of thanks to General Banks and to Congress were adopted, and several improvements introduced in the plan of organization.

The case of R. B. Lynch, a reported Fenian, who had been captured, tried, convicted, and sentenced to death in Canada, excited much sympathy throughout the United States. The Common Council of New York memorialized the President of the United States in his behalf and that of the other Fenian prisoners. The Tammany Hall Democracy took similar steps, and appointed a committee to confer with the President.

Secretary Seward soon after addressed a communication to the British minister at Washington advising the exercise of clemency toward the prisoners, and the matter was at last settled to the relief of all concerned, by a dispatch from the British Colonial Office to the Governor-General of Canada, commuting the sentence of those prisoners who had been sentenced to death. For the disposition of the other prisoners taken to Toronto and Sweetsburg for trial, *see* BRITISH NORTH AMERICA.

The United States Fenians accomplished nothing more of importance during the year 1866. Meetings were held in the interest of the contending factions, and appeals and addresses issued. Mr. Stephens still expressed his belief that the revolution in Ireland would be triumphant before the end of the year; but his faith was not shared by any considerable portion of the Irish population, and they gradually ceased to contribute to the accomplishment of an end which seemed to them so remote.

FINANCES OF THE UNITED STATES. At the commencement of the annual session of Congress in December, 1865, the Secretary of the Treasury (Mr. McCulloch) presented in his report a statement of the current receipts and expenditures of the Government for the fiscal year ending June 30, 1866. This statement contained the actual receipts and expenditures for the first quarter of the fiscal year ending September 30, 1865; and estimates for the remaining three quarters. In these estimates the opinion was expressed that the expenditures would exceed the receipts by \$112,194,947. This conclusion was formed by the Secretary under the impression that the measures of taxation would yield a limited revenue



and the expenditures would still continue very large. The following is a statement of the estimated and the actual receipts and expenditures of the United States from October 1, 1865, to June 30, 1866, the last three quarters of the fiscal year:

RECEIPTS.	Estimated.	Actual.	Excess of receipts.
Customs .....	\$100,000,000 00	\$132,037,068 55	\$32,037,068 55
Lands .....	500,000 00	532,140 40	32,140 40
Internal revenue .....	175,000,000 00	212,607,927 77	37,607,927 77
Miscellaneous .....	30,000,000 00	48,285,125 90	18,285,125 90
Direct tax .....	.....	1,943,642 82	1,943,642 82
Cash balance October 1, 1865.....	\$305,500,000 00 67,158,515 44	\$395,405,905 44 67,158,515 44	\$89,905,905 44
	\$372,658,515 44	\$462,564,420 88	
EXPENDITURES.	Estimated.	Actual.	Excess of estimates.
Civil service.....	\$32,994,052 38	\$30,485,500 55	\$2,508,551 83
Pension and Indians.....	12,256,790 94	11,061,285 79	1,195,505 15
War Department.....	307,788,750 57	119,080,464 50	188,708,286 07
Navy Department.....	35,000,000 00	26,802,716 31	8,197,283 69
Interest on public debt.....	96,813,868 75	96,894,260 19	.....
Deduct deficiency in estimate for interest on public debt.....	.....	.....	\$200,609,626 74 80,391 44
	\$484,853,462 64	\$284,324,227 34	\$200,529,235 30
RECAPITULATION.			
Actual receipts, including cash balance.....			\$462,564,420 88
Estimated receipts, including cash balance.....			372,658,515 44
Excess of receipts over estimates.....			89,905,905 44
Estimated expenditures.....			484,853,462 64
Actual expenditures.....			284,324,227 34
Actual expenditures less than estimated.....			200,529,235 30

The actual receipts and expenditures for the fiscal year ending June 30, 1866, were as follows:

Balance in Treasury; agreeable to warrants, July 1, 1865.....	\$858,309 15	
To which add balance of sundry trust funds not included in the above balance.....	2,217,732 94	
Making balance, July 1, 1865, including trust fund.....		\$3,076,042 09
Receipts from loans.....		712,851,553 05
Receipts from customs.....	\$179,046,651 58	
Receipts from land.....	665,031 03	
Receipts from direct tax.....	1,974,754 12	
Receipts from internal revenue.....	309,226,813 42	
Receipts from miscellaneous sources.....	67,119,369 91	
		\$558,032,620 06
		\$1,273,960,215 20
Redemption of public debt.....	\$620,321,725 61	
For the civil service.....	\$41,056,961 54	
For pensions and Indians.....	18,852,416 91	
For the War Department.....	284,449,701 82	
For the Navy Department.....	43,324,118 52	
For interest on public debt.....	133,067,741 69	
	520,750,940 48	
		\$1,141,072,666 09
Leaving a balance in the Treasury on the first day of July, 1866.....		\$132,887,549 11

These were the results of the ordinary sources of revenue and expenditure during the fiscal year ending June 30, 1866, leaving in the Treasury a balance of more than 132 millions. The Secretary had anticipated a deficiency exceeding 112 millions, and at the same time he had urged that a system of contraction of the currency should be commenced, which would in a short period greatly reduce its value and aid in a return to specie payments. Congress, however, did not entertain similar views with the Secretary relative to a deficiency, neither were the majority in favor of such a speedy return to specie payments. An act was therefore passed and approved April 12, 1866, as an amendment to the act of March 3, 1865, mentioned in a former volume, which extended the latter act and so construed it as to authorize the Secretary of the Treasury, at his discretion, to receive any Treasury notes, or other obligations issued under any act of Congress, whether bearing interest or not, in exchange for any



description of bonds authorized by the act of 1863; and also to dispose of any description of bonds authorized by said act either in the United States, or elsewhere, to such an amount, in such manner, and at such rates, as he might think advisable, for lawful money of the United States, or for any Treasury notes, certificates of indebtedness, or certificates of deposit, or other representatives of value used under any act of Congress and to use the proceeds only for retiring Treasury notes, or other obligations of the Government. Nothing herein contained was to be construed as authorizing any increase of the public debt. To this act there was attached a proviso which limited the contraction of the currency, by specifying that not more than ten millions of United States notes might be retired and cancelled within the ensuing six months, and thereafter not more than four

millions of dollars in any one month. This act, while it enabled the Secretary to use with more freedom the extraordinary resources of the Government on hand and unexhausted, also by limiting the contraction of the currency, secured the liberal payment of taxes both under the tariff and internal revenue laws. At the same time these two acts were revised in order to diminish the burden they caused to the people and facilitate the increase of revenue. The consequence was that, at the close of the fiscal year in June 30, 1866, the Secretary was able to show a net decrease of the public debt amounting to \$31,196,387.23, with an increase of the cash in the Treasury over the close of the previous year amounting to \$132,029,239.96.

The following statement exhibits the items of increase and decrease of the public debt for the fiscal year ending June 30, 1866:

Amount of public debt, June 30, 1865.....	\$2,682,593,026 53	
Amount of cash in Treasury.....	858,309 15	
Amount of public debt, June 30, 1865, less cash in Treasury.....		\$2,681,734,717 38
Amount of public debt, June 30, 1866.....	\$2,783,425,879 21	
Amount of cash in Treasury.....	132,887,549 11	
Amount of public debt, June 30, 1866, less cash in Treasury.....		\$2,650,538,330 10
Net decrease.....		\$31,196,387 23

This decrease was caused as follows, by payments and increase of cash in Treasury:

Bonds, 6 per cent., acts of July 21, 1841, and April 15, 1842.....	\$116,139 77
Treasury notes, 6 per cent., acts December 23, 1857, and March 2, 1861.....	2,200 00
Bonds, 5 per cent., act September 9, 1850 (Texas indemnity).....	283,000 00
Treasury notes, 7.30, act July 17, 1861.....	380,750 00
Certificates of indebtedness, 6 per cent., act March 1, 1862.....	89,381,000 00
Treasury notes, 5 per cent., 1 and 2 year, act March 3, 1863.....	38,884,480 00
Compound-interest notes, 6 per cent., act June 30, 1864.....	34,743,940 00
Bonds, 5 per cent., act March 3, 1864.....	1,551,000 00
United States notes, acts July 17, 1861, and February 12, 1862.....	200,441 00
United States notes, acts February 25, July 11, 1862, and March 3, 1863.....	32,068,760 00
Postal currency, act July 17, 1862.....	2,884,707 88
Cash in Treasury, increased.....	132,029,239 96
Gross decrease.....	\$332,525,658 61

From which deduct for increase, by—

Bonds, 6 per cent., acts July 1, 1862, and July 2, 1864, issued to Central Pacific R. R. Co., &c., interest payable in lawful money.....	\$4,784,000 00
Treasury notes, 7.30, acts June 30, 1864, and March 3, 1865, interest payable in lawful money.....	134,641,150 00
Temporary loan, 4, 5, and 6 per cent., acts July 11, 1862, and June 30, 1864.....	30,459,135 25
Gold certificates, act March 3, 1863.....	4,949,756 08
Fractional currency, act March 3, 1863.....	10,713,180 00
Bonds, 6 per cent., act July 17, 1861.....	\$146,050
Bonds, 6 per cent., act March 3, 1864.....	3,882,500
Bonds, 6 per cent., act June 30, 1864.....	8,211,000
Bonds, 6 per cent., act March 3, 1865.....	103,542,500
	\$115,782,050 00
Gross increase.....	\$301,329,271 33
Net decrease.....	31,196,387 28

The rapid progress of liquidation shown by the preceding figures went on with increased momentum during the next quarter, and it became manifest that if the people of the country were able to endure such powerful depletion without serious inconvenience to their industrial pursuits, the arrangements of Congress were complete for an early extinguishment of the ascertained and acknowledged public debt.

The following statement exhibits the items of increase and decrease of the public debt from June 30, 1866, to October 31, 1866.

It shows a decrease of the public debt in four months by \$99,114,208.90, and a decrease of the cash in the Treasury amounting to \$2,560,588.49. The net decrease in the public debt from its highest point in August 31, 1865, to October 31, 1866, was \$206,379,565.71.



Amount of public debt, June 30, 1866.....	\$2,783,425,879 21	
Amount of cash in Treasury.....	132,887,549 11	
Amount of public debt, June 30, 1866, less cash in Treasury.....		\$2,650,538,330 10
Amount of public debt, October 31, 1866.....	\$2,681,636,966 34	
Add amount of old funded and unfunded debt included in debt of June 30, 1866, not in statement.....	114,115 48	
	\$2,681,751,081 82	
Amount of cash in Treasury.....	130,326,960 62	
Amount of public debt, October 31, 1866, less cash in Treasury.....		\$2,551,424,121 20
Net decrease.....		\$99,114,208 90

Which decrease was caused as follows, by payments :

Bonds, 6 per cent., acts July 21, 1841, and April 15, 1842.....	\$14,500 00	
Bonds, 6 per cent., act of January 28, 1847.....	1,672,450 00	
Bonds, 6 per cent., act March 31, 1848.....	617,400 00	
Bonds, 5 per cent., act September 9, 1850 (Texas indemnity).....	175,000 00	
Bonds, 5 per cent., act March 3, 1864 (Ten-forties).....	149,750 00	
		\$2,629,100 00
Treasury notes, 6 per cent., acts December 23, 1857, and March 2, 1861.....		6,150 00
Temporary loan, 4, 5, and 6 per cent., acts February 25, March 17, July 11, 1862, and June 30, 1864.....		75,172,997 76
Certificates of indebtedness, 6 per cent., acts March 1, 1862, and March 3, 1863.....		26,209,000 00
Treasury notes, 5 per cent., one and two year, act March 3, 1863.....		500,000 00
Treasury notes, Seven-thirty, act July 17, 1861.....		11,200 00
Compound-interest notes, 6 per cent., act June 30, 1864.....		10,500,000 00
Treasury notes, Seven-thirty, acts June 30, 1864, and March 3, 1865.....		82,237,250 00
United States notes, acts July 17, 1861, and February 12, 1862.....		3,804 00
United States notes, acts February 25, July 11, 1862, and March 3, 1863.....		10,691,779 00
Postal currency, act July 17, 1862.....		691,031 75
Gross decrease.....		\$208,652,312 51

From which deduct for increase of debt and decrease of cash in Treasury :

Bonds, 6 per cent., act July 17, 1861.....	\$7,050,000 00	
Bonds, 6 per cent., act March 3, 1865.....	101,738,500 00	
Bonds, 6 per cent., acts July 1, 1862, and July 2, 1864, issued to Central Pacific Railroad Co., &c., interest payable in lawful money.....	3,840,000 00	
Gold certificates, act March 3, 1863.....	183,800 00	
Fractional currency, acts March 3, 1863, and June 31, 1864.....	1,208,165 12	
Cash in Treasury, decreased.....	2,560,588 49	
		\$109,538,103 61
Net decrease.....		\$99,114,208 90

The following table (see page 292) shows the indebtedness of the United States on the 30th of June, 1866.

The reduction of the paper circulation under the legislation of Congress above mentioned was limited to \$10,000,000 for the six months ending October 12th, and \$4,000,000 per month thereafter. In the mean time the reduction of these notes and of the notes of the State banks was nearly balanced by the increase of the circulation of the National Banks, and the premium on specie was about the same at the close as at the beginning of the year. The Secretary, therefore, devoted his attention to measures looking to an increase of the efficiency of the collection of the revenues, to the conversion of the interest-bearing notes into five-twenty bonds and to a reduction of the public debt. At the same time he endeavored to use such means within his control, as were best calculated to keep the business of the country as steady as possible, while conducted on the uncertain basis of an irredeemable currency. He therefore held a handsome reserve of coin in the Treasury, being convinced by observation and experience that, in order to secure steady-

ness in any considerable degree, while business was conducted on a paper basis, there must be power in the Treasury to prevent successful combinations to bring about fluctuations for purely speculative purposes. The Secretary expressed his conviction that specie payments were not to be restored by an accumulation of coin in the Treasury, to be used at a future day to redeem Government obligations, but by quickened industry, increased productions, and lower prices. Coin was therefore permitted to accumulate when the use or sale of it was not necessary for paying Government obligations, or to prevent commercial panics, or successful combinations against the national credit; and it has been sold whenever sales were necessary to supply the Treasury with currency, to ward off financial crises, or to save the paper circulation of the country, as far as practicable, from unnecessary and damaging depreciation.

The importance of specie payments is urged by the Secretary, and in his remarks on the subject, he thus incidentally describes the condition of the country: "When a paper currency is an inconvertible currency, and espe-



[illegible]



cially when, being so, it is made by the sovereign power a legal tender, it becomes prolific of mischief. Then specie becomes demonetized, and trade is uncertain in its results, because the basis is fluctuating; then prices advance as the volume of currency increases, and require as they advance further additions to the circulating medium; then speculation becomes rife, and 'the few are enriched at the expense of the many;' then industry declines, and extravagance is wanton; then, with a diminution of products and consequently of exports, there is an increase of imports, and higher tariffs are required on account of the general expansion, to which they in their turn give new stimulus and supports, while the protection intended to be given by them to home industry is in a great measure rendered inoperative by the expansion. This, notwithstanding our large revenues and the prosperity of many branches of industry, is substantially the condition of the United States."

The paper circulation of the country on December 1st, consisted of United States notes, National and State bank-notes and certificates of the Government divided as follows:

United States notes, legal tender.....	\$385,441,849
Fractional currency.....	28,620,249
Circulation issued to National Banks...	292,671,753
State bank-notes.....	46,533,060
	<hr/>
	\$753,266,911

To this should be added a considerable portion of the following items:

Gold certificates of deposit.....	\$19,638,500
Compound-interest notes.....	147,387,140
	<hr/>
Total.....	\$167,025,640
	<hr/>
	\$920,292,551

It was also estimated that there were amounts of specie in circulation, as follows:

Specie in actual circulation on the Pacific.....	\$25,000,000
Specie in actual circulation in the Atlantic States.....	15,000,000
Copper and nickel.....	3,000,000
	<hr/>
	\$43,000,000

If this is added to the paper currency, it makes the whole amount of the circulating medium \$963,290,551. West of the Rocky Mountains, on the Pacific slope, gold and silver maintained its ascendancy, and very little paper was circulated. Indeed, throughout the whole country, and particularly where merchandise was distributed at wholesale, many articles were bought and sold exclusively for gold—no other prices were quoted for them. Instead of coin, gold bars and bullion were largely used by banks and by importers to pay for foreign merchandise. The copper and nickel coinage has been depreciated, so that a five-cent token contains about one cent of real value, or, in the words of the chairman of Ways and Means in the House of Congress (Mr. Morrill), "until it

is almost as light as any paper which can be produced, even by the genius of the hydrostatic power at the Treasury Department, and it once more rises and floats triumphantly over the dirty sea of paper currency in vulgar fractions." The gold certificates of deposit were conveniently and daily used by millions for many purposes, especially to pay for exchange in the liquidation of foreign accounts and among gold operators. Bills of exchange became a currency, and an enormous amount was afloat. The compound-interest notes were largely used, and almost universally, though without authority, took the place of the United States legal tender notes in the reserve required to be held by the national banks. In some instances the seven-thirties took the place of lawful money, and were given and taken in financial transactions at their current value. To some extent also the coupon bonds of the United States were used as money, and remitted to pay balances due—especially balances of trade due abroad. (*See BANKS.*)

Such was the state of the public debt and the circulating medium at the close of the year. It remains, therefore, to present the operation of the internal revenue system, of the tariff, and the commercial condition, to have a complete view of the problem presented for solution to the Government and the people.

Previous to the year 1861, the United States presented the unusual spectacle of a great nation with comparatively no debt. Since then the measures required for the maintenance of the Government have entailed upon the nation a debt rivalling or exceeding in magnitude the accumulated debts of any of the old states of Europe, and rendering necessary the collection of an annual revenue, which may be safely stated as unequalled by the collections of any other nations excepting Great Britain and France. While the accumulation of this debt was in progress the present system of internal revenue was adopted to aid in obtaining the money necessary for military and naval operations. The pressing nature of the circumstances under which it was framed was such as to afford but little opportunity for any careful and accurate investigation of the sources of revenue, and the most suitable measures of developing them. The old methods of taxation in this country, by assessments on real and personal property or capital, were chiefly allowed to remain undisturbed in the States which had hitherto applied them for their own support, and the plan was adopted to obtain this branch of the national revenue from the fruits of capital, or of capital and industry combined. One of the greatest defects which was immediately felt in the system thus put in operation, was its diffuseness, wherein the exemption of an article from taxation was the exception rather than the rule. A system so diffuse necessarily entailed a duplication of taxes, which in turn led to an undue enhancement of prices; a decrease both of production



and consumption, and consequently of wealth, a restriction of exportations and of foreign commerce, and a large increase in the machinery and expense of collection. The duplication of taxes threatened the very existence, even with the protection of inflated prices and a high tariff, of many branches of industry, and, under a normal condition of the trade and currency of the country, would become extremely disastrous. Its tendency to sustain prices was illustrated very forcibly in the manufacture of umbrellas and parasols. The sticks, when of wood, were made in Philadelphia, and in some parts of Connecticut; part of native and part of foreign wood, on which last a duty may have been paid. If the supporting rod was of iron or steel it was the product of another establishment. In like manner the handles of carved wood, bone, or ivory; the brass runners, the tips, the elastic band, the rubber of which the band is composed, the silk tassels, the buttons, and the cover of silk, gingham, or alpaca, were all distinct products of manufacture, and each of these constituents, if of domestic production, paid a tax, when sold, of six per cent. *ad valorem*, or its equivalent. The umbrella manufacturer then aggregated all these constituent parts previously taxed, into a finished product, and then paid six per cent. on the whole. Thus all the parts of the umbrella were taxed at least twice, and in some instances three times—thus adding from twelve to fifteen per cent to the direct cost, while each separate manufacturer doubtless made the payment of the six per cent. tax on his special product an occasion for adding from one to three or more per centum additional to its cost price. Similar illustrations existed in other branches of compound manufactures, showing the sustaining influence on prices, and making the taxes neither definite in amount, equal in application, nor convenient in collection.

Another serious defect of the internal revenue system in its bearing upon the industry of the country was the lack of equalization or adjustment between it and the tariff. Thus the cover of the umbrella or parasol, as a constituent element of construction, represents from one-half to two-thirds of the entire cost of the finished article. The silk, the alpaca, and the Scotch gingham, of which the covers were made, were all imported at a duty of sixty per cent. for the former, and fifty per cent. *ad valorem* for the two latter. But the manufactured umbrella, covered with the same material, whose constituent parts were not taxed, either on the material used in their fabrication or in the sale, were imported under a duty of thirty-five per cent. *ad valorem*; or at a discriminating duty against the American, and in favor of the foreign producer of from fifteen to twenty-five per cent. Imported umbrellas were sold in New York and Boston with the original cost, duty, freight, and charges, paid in gold, for a less price than the American article could be manufactured. Other illustrations

of the lack of adjustment between the excise and the tariff existed in other branches of domestic manufactures.

Notwithstanding these and other imperfections in this system so hastily prepared, it very successfully attained the end designed of raising a revenue greater than was necessary for its legitimate expenditures, and, near the close of the war, Congress, on March 3, 1865, took immediate steps for its revision, by authorizing the appointment of a commission to report upon the subject of raising revenue by taxation. In June, Messrs. David A. Wells, Stephen Colwell, and Samuel S. Hayes, were organized as such commission, and their first report was made to Congress in January, 1866. In this report they take the ground that the increase of the country in population and wealth is without a parallel among nations, being from 1840 to 1850 thirty-five per cent. in population, and eighty-nine per cent. in wealth; and from 1850 to 1860 thirty-five and five-tenths per cent. in population, and one hundred and twenty-six per cent. in wealth.

If the development in any approximate degree can be maintained and continued, the extinguishment of the national debt in a comparatively brief period becomes certain. To secure this development, both by removing the shackles from industry, and by facilitating the means of rapid and cheap communication, they regarded as effecting a solution of all the financial difficulties pressing upon the country. The future revenue policy of the country, they therefore recommended to be, the abolition or speedy reduction of all taxes which tend to check development, and the retention of all those which, like the income tax, fall chiefly upon realized wealth. Asserting this principle as a suitable policy for the Government, it became necessary to inquire into the nature and capacity of the sources of revenue available to the Government, in order to determine the manner and extent to which this policy could be carried out, and insure adequate revenue. Briefly stating the extent of revenue derived from duties on foreign imports, the attention of this commission was chiefly devoted to the capacity of the country to bear internal taxation. The facts brought forward in this connection are too important in the history of the country to be passed over.

The aggregate receipts of internal revenue for the fiscal years 1863 (ten months), 1864, 1865, and 1866, were as follows:

1863 (ten months).....	\$41,003,192 93
1864.....	116,850,672 44
1865.....	211,129,529 17
1866.....	309,226,813 42

The following table shows the amount derived from the principal specific sources of internal revenue in the years 1863, 1864, 1865, and 1866, the aggregate annual amounts, and the percentage ratio of the amount derived from each specific source to the whole for the same periods:



TABLE SHOWING THE AGGREGATE RECEIPTS OF INTERNAL REVENUE, ETC.

ARTICLES.	Receipts for fiscal year 1863.	Per cent. of the whole receipts.	Receipts for fiscal year 1864.	Per cent. of the whole receipts.	Receipts for fiscal year 1865.	Per cent. of the whole receipts.	Receipts for fiscal year 1866.	Per cent. of the whole receipts.
<i>Manufactures and products:</i>								
Books, magazines, etc.					\$354,528	.17	\$723,648	.23
Boots and shoes.					3,280,627	1.55	6,516,814	2.09
Brass, copper, and yellow sheathing metal.			\$76,874	.65	469,280	.22	405,172	.13
Bullion					379,518	.18	488,337	.15
Clothing	\$31,241	.07	350,486	.30	6,820,937	3.23	12,027,697	3.87
Carriages	243,704	.59	320,076	.27	880,021	.41	1,576,662	.50
Candles	117,133	.28	186,228	.16	326,583	.15	392,822	.12
Chemical productions.					317,383	.15	534,780	.17
Cigars, cheroots, etc.	476,589	1.16	1,255,424	1.07	3,087,421	1.46	3,476,237	1.12
Clocks, timepieces, etc.	17,771	.04	39,166	.03			153,697	.05
Confectionery.	153,824	.37	465,793	.39	569,473	.27	995,795	.32
Coal	318,425	.77	572,436	.40	835,994	.39	1,240,106	.40
Copper, and manufactures of.			43,681	.037	388,920	.184	575,528	.18
Cloth, painted, enamelled, shirred and oiled.					150,286	.07	312,924	.10
Cotton, raw	351,311	.85	1,263,412	1.09	1,772,983	.84	18,409,655	5.92
Cotton fabrics, yarns, threads.	1,600,947	3.90	3,548,173	3.03	7,331,148	3.47	12,421,934	4.00
Cutlery.					84,188	.04	150,762	.05
Distilled liquors.	3,229,991	7.87	28,431,798	24.33	15,995,701	7.58	29,198,578	9.39
Fermented liquors.	1,558,038	3.79	2,223,720	1.90	3,657,181	1.73	5,115,140	1.64
Furs	78,852	.19	113,827	.09	222,559	.10	356,503	.114
Furniture and manufactures of wood.			1,679,940	1.43	2,733,248	1.27	4,540,140	1.46
Gas, illuminating	435,600	1.06	714,740	.61	1,348,324	.63	1,842,643	.59
Glass, all manufactures of.	138,908	.33	303,268	.26	585,430	.27	922,318	.32
Gold manufactures, jewelry, etc.	85,599	.20	218,914	.19	543,430	.26	640,602	.20
Gunpowder.	78,696	.19	155,302	.13	248,376	.11	250,669	.08
Glue	9,048	.02	25,629	.02	44,517	.02	75,147	.02
Gutta percha manufactures.			5,435		31,282	.014	7,988	
India-rubber, manufactures of.	112,700	.27	233,783	.20	635,976	.30	555,842	.18
Iron, blooms, etc.					52,158	.024	52,258	.016
Iron, bar, rod, band, sheet, etc.	258,536	.60	435,911	.37	1,022,615	.40	1,355,226	.43
Iron, plate	52,221	.12	86,535	.07	150,292	.07	234,916	.075
Iron, railroad	78,750	.19	175,838	.15	284,733	.13	399,669	.125
Iron, railroad, re-rolled	66,386	.16	119,226	.10	376,265	.18	668,988	.21
Iron, castings	50,349	.12	242,737	.20	798,201	.37	1,367,825	.44
Iron castings (stoves and hollow-ware)	79,952	.19	123,489	.10	211,849	.10	297,632	.09
Iron, cut nails and spikes	110,905	.27	184,500	.16	328,940	.15	725,146	.23
Iron, pig					1,484,383	.70	2,255,893	.72
Iron, rivets, nuts, etc.	6,812	.02	43,729	.037	56,498	.026	101,401	.032
Iron, miscellaneous								
Iron, manufactures of	969,082	2.36	1,891,062	1.61	3,729,005	1.77	5,342,305	1.70
Lead, sheet, lead pipes and shot.	54,614	.13	110,527	.09	74,460	.035	227,616	.073
Lead, white.	23,080	.056	48,564	.04	52,067	.024	102,413	.033
Leather of all descriptions.	1,982,004	4.83	4,004,047	3.43	4,337,266	2.05	5,384,513	1.72
Lime and cement.					96,446	.045	208,665	.06
Marble, etc.					170,419	.08	329,217	.11
Oil, coal, refined petroleum, etc.	649,962	1.58	2,255,329	1.93	3,047,213	1.44	5,317,396	1.70
Oil, lard, linseed, etc.	114,219	.28	217,291	.018	414,547	.19	607,225	.19
Paper of all kinds, binders' boards, etc.	301,472	.73	917,141	.80	1,082,476	.51	1,172,115	.38
Petroleum, crude.					229,546	.10	2,186,151	.70
Pianos and other musical instruments.					259,384	.12	418,144	.134
Pickles, preserves, vegetables, meats, etc.	62,534	.15	110,791	.09	172,314	.08	193,860	.062
Pins	15,403	.04	22,010	.02	24,802	.011	37,993	.012
Pottery ware	22,962	.056	47,425	.04	93,221	.044	164,857	.053
Sails, tents, shades, awnings, etc.	3,771		35,946	.03	78,272	.037	81,374	.026
Saleratus and bicarb. of soda.	23,003	.057	32,974	.03	31,609	.014	44,664	.014
Salt	118,579	.29	298,912	.25	335,349	.15	456,101	.147
Screws, wood	28,760	.07	62,943	.05	122,693	.06	226,590	.072
Ships and other vessels.	1,748		167,514	.14	347,218	.16	355,478	.114
Silk, manufactures of.	44,167	.107	97,653	.08	216,189	.10	445,766	.143
Steam-engines, etc.					772,360	.36	1,189,485	.382
Silver, manufactures of.	13,372	.044	36,950	.03	59,768	.026	128,522	.041
Snuff.	34,466	.08	240,934	.20	283,352	.13	698,174	.224
Soap of all descriptions.	266,406	.65	449,001	.38	791,416	.37	1,326,024	.426
Starch.	15,680	.04	36,261	.03	131,232	.06	112,230	.036
Steel.	40,657	.10	91,768	.08	174,052	.08	212,662	.068
Steel, manufactures of.	149,226	.36	299,373	.25	549,767	.26	714,211	.229
Sugar, brown or raw	134,228	.32	1,267,616	1.09	86,510	.04	567,531	.182
Sugar, refined.	220,234	.53	873,140	.79	1,957,893	.92	2,337,405	.75
Textile fabrics of other materials than cotton and wool.			20,007		376,672	.18	595,728	.19
Tobacco, manufactured.	2,576,889	6.23	7,086,635	6.32	8,017,020	3.80	12,339,922	3.97
Turpentine, spirits of.					8,462		248,178	.079
Umbrellas and parasols.	49,735	.12	63,770	.06	111,147	.05	229,491	.073
Varnishes	40,131	.10	92,356	.08	149,981	.07	251,227	.08
Water, mineral, sarsaparilla, etc.	833		7,014		85,546	.04	188,401	.06
Wine	8,324		28,303	.02	43,216	.02	66,118	.02
Woollen fabrics and manufactures of wool.	1,880,029	4.58	3,655,132	3.01	7,947,094	3.79	8,514,101	2.80
Zinc, oxide of.	15,806	.04	28,276	.02	41,641	.02	43,243	.015
Miscellaneous articles.	4,793,932	11.69	7,156,601	6.12	10,016,686	4.53	13,615,721	4.38
Total.	\$24,403,091	59.71	\$75,403,386	64.53	\$104,379,609	49.43	\$173,356,661	57.86



TABLE SHOWING THE AGGREGATE RECEIPTS OF INTERNAL REVENUE, ETC.—Continued.

ARTICLES.	Receipts for fiscal year 1863.	Per cent. of the whole receipts.	Receipts for fiscal year 1864.	Per cent. of the whole receipts.	Receipts for fiscal year 1865.	Per cent. of the whole receipts.	Receipts for fiscal year 1866.	Per cent. of the whole receipts.
Animals slaughtered.....	\$710,812	1.73	\$695,202	.59	\$1,261,357	.60	\$1,291,570	.415
<i>Gross receipts:</i>								
Advertisements.....	40,620	.10	133,315	.11	227,530	.10	290,605	.097
Bridges and toll-roads.....	18,674	.045	36,354	.03	75,269	.036	108,136	.034
Canals.....	4,210	.....	.....	.....	92,421	.044	99,268	.032
Express companies.....	2,680	.....	267,773	.22	529,276	.25	645,769	.21
Ferries.....	20,852	.65	60,074	.05	126,133	.059	48,764	.01
Insurance companies.....	.....	.....	.....	.....	805,992	.38	1,169,722	.37
Lotteries.....	.....	.....	.....	.....	29,249	.013	78,072	.02
Railroads.....	1,102,607	2.69	2,127,250	1.82	5,917,293	2.80	7,614,448	2.45
Ships, barges, etc.....	.....	.....	.....	.....	431,211	.20	39,322	.01
Stage-coaches, wagons, etc.....	.....	.....	.....	.....	469,188	.22	572,519	.18
Steamboats.....	150,620	.36	278,097	.24	638,812	.30	84,846	.02
Telegraph companies.....	.....	.....	.....	.....	215,050	.10	308,438	.10
Theatres, circuses, etc.....	.....	.....	.....	.....	140,542	.069	202,521	.06
Total.....	1,340,272	3.27	*2,895,999	2.48	9,697,866	4.50	11,262,430	3.62
<i>Sales:</i>								
Auction.....	64,004	.15	138,082	.12	410,176	.19	503,252	.16
Merchandise brokers.....	.....	.....	.....	.....	596,474	.28	870,080	.27
Stock brokers.....	.....	.....	.....	.....	2,202,793	1.04	1,582,247	.50
Gold brokers, etc.....	.....	.....	.....	.....	852,801	.40	1,046,704	.33
Total.....	64,004	.15	138,082	.12	4,062,244	1.92	4,002,283	1.29
<i>Licenses:</i>								
Apothecaries.....	27,308	.068	29,792	.026	32,872	.015	43,713	.01
Auctioneers.....	49,092	.12	53,147	.05	80,545	.038	89,724	.03
Bankers.....	90,868	.22	74,449	.06	846,687	.40	1,262,649	.42
Billiards.....	34,120	.08	33,183	.028	54,025	.026	103,929	.033
Brewers.....	70,850	.17	66,289	.06	77,747	.037	105,412	.033
Bowling alleys.....	6,873	.....	7,781	.....	13,490	.....	19,749	.....
Cattle brokers.....	98,090	.24	106,337	.09	207,905	.10	294,448	.10
Commercial brokers.....	149,869	.36	204,098	.17	213,095	.10	196,346	.06
Produce brokers.....	.....	.....	.....	.....	22,954	.010	72,145	.02
Stock brokers.....	105,096	.25	98,678	.08	120,912	.058	75,794	.02
Other brokers.....	1,058	.....	1,001	.....	16,584	.....	25,117	.01
Builders and contractors.....	6,615	.....	73,383	.06	82,273	.039	131,178	.04
Butchers.....	2,154	.....	88,450	.07	152,421	.07	224,465	.07
Distillers.....	38,632	.096	49,022	.042	59,898	.03	101,534	.03
Hotels.....	255,273	.62	252,610	.21	415,279	.20	580,021	.13
Lawyers.....	142,900	.35	129,186	.11	190,377	.09	264,337	.08
Lottery-ticket dealers.....	10,250	.....	3,091	.....	43,480	.02	54,427	.017
Manufacturers.....	463,630	1.13	471,091	.40	635,115	.30	1,043,031	.33
Peddlers.....	287,456	.70	255,435	.22	459,298	.21	679,014	.21
Photographers.....	44,859	.11	52,536	.045	74,698	.035	93,186	.03
Physicians and surgeons.....	238,383	.58	235,583	.20	302,847	.14	425,597	.137
Retail dealers.....	1,227,912	3.00	1,336,346	1.14	1,606,778	.76	1,949,017	.62
Retail dealers in liquors.....	1,477,754	3.60	1,612,736	1.38	2,205,866	1.04	2,807,225	.59
Stallions and jacks.....	45,985	.11	219,578	.19	277,166	.13	306,853	.10
Wholesale dealers.....	1,315,118	3.20	1,229,787	1.05	3,543,105	1.68	5,428,345	1.74
Wholesale dealers in liquors.....	334,160	.93	176,765	.14	400,693	.19	801,531	.25
Miscellaneous.....	249,873	.61	280,030	.24	477,458	.24	857,811	.27
Total.....	6,824,178	16.64	7,145,389	6.11	12,613,478	5.96	18,038,098	5.80
Income.....	455,741	1.11	14,919,280	12.76	20,740,451	9.82	61,071,932	19.64
Legacies and successions.....	56,593	.14	310,836	.27	546,708	.26	1,170,979	.37
<i>Articles in Schedule A:</i>								
Billiard tables.....	10,731	.02	68,000	.06	67,754	.03	17,353	.....
Carriages and harness.....	243,704	.59	320,076	.28	322,720	.15	624,458	.20
Piano-fortes.....	.....	.....	.....	.....	7,752	.....	403,572	.13
Gold plate.....	46	.....	66	.....	126	.....	84	.....
Silver plate.....	108,690	.26	130,024	.11	117,987	.056	216,490	.07
Watches.....	.....	.....	.....	.....	9,139	.....	426,557	.137
Yachts.....	2,459	.....	2,673	.....	2,098	.....	4,408	.....
Other articles.....	.....	.....	.....	.....	252,690	.12	201	.....
Total.....	365,630	.89	4520,283	.44	780,266	.37	1,693,123	.54
From U. S. Marshals, proceeds of suits.....	.....	.....	.....	.....	.....	.....	210,234	.07
From U. S. Special Treasury agents.....	.....	.....	.....	.....	.....	.....	1,974,108	.63
Banks, etc.....	1,910,938	4.66	7,017,547	6.00	13,579,594	6.43	12,109,420	3.90
Passports.....	8,407	.02	10,993	.....	29,538	.....	31,759	.01
Special income-tax.....	.....	.....	.....	.....	28,929,312	13.70	.....	.....
Penalties, etc.....	27,170	.07	193,600	.16	420,386	.25	932,619	.30
Stamps.....	4,140,175	10.10	5,894,945	5.04	11,162,392	5.23	15,044,373	4.33
Salaries.....	696,182	1.70	1,705,125	1.45	2,826,333	1.34	3,717,395	1.19
Aggregate receipts.....	\$41,003,193	.....	†\$116,850,672	.....	\$211,129,529	.....	\$310,906,934	.....

\* Net amount, after refunding \$6,864.

† Net amount, after refunding \$556.

‡ The Commissioner of Internal Revenue, in a recent report, gives the aggregate receipts for the fiscal year 1864 at \$117,145,748.



Distilled spirits were regarded as a source of revenue of the first importance. During the fiscal year 1863, under a tax of twenty cents per gallon, the amount of revenue was \$3,229,990.70. In the fiscal year 1864, the tax was twenty cents until March 7th, after which it was sixty cents, and the revenue was \$28,431,797.83. From July 1, 1864, until June 1, 1865, the tax was \$1.50 per gallon, and afterward \$2.00. The revenue of the year amounted to \$15,995,701.66. The average taxable production from Sept., 1862, to July 1, 1865, returned to the Department, was 40,537,371 gallons. The precedents of all countries are uniform in favor of taxing spirits to the maximum, consistent with revenue. While any relaxation of the law, on the one hand, does not benefit the consumer, its stringent enforcement with a regulation of the business will not diminish the amount which appetite, or industrial necessity, demands for consumption. Under a tax of one dollar per gallon, it was estimated that forty millions of dollars might be annually collected from distilled spirits. With fermented liquors the great difficulty has been to determine the proper mode of collecting the tax and preventing fraud. A tax on malt is impracticable, as also the plan of gauging and assessing the liquor during the process of manufacture, or while in the fermenting vats. The most acceptable plan for this object approved by the commissioners and leading brewers of the country, was to collect the tax by means of a stamp, printed on insoluble parchment paper, to be affixed to each barrel sold and removed from the place of its manufacture, with a requirement that the same be cancelled by the retailer or consumer. With a tax of one dollar per barrel of thirty-one gallons, it was estimated that an annual revenue of five millions of dollars would be yielded from this source. —A tax on cotton of three cents per pound was laid by Congress early in 1866, which is noticed under the title *COTTON*. The result of the investigations relative to tobacco, were, that the tax should not be laid on the leaf. The revenue derived from this article was as follows:

	Cigars and Cheroots.	Chewing and Smoking Tobacco.
1863.....	\$476,589	\$2,576,888
1864.....	1,255,424	7,086,684
1865.....	3,087,421	8,017,020

The average annual taxable product of the different kinds of manufactured tobacco, from September 1, 1862, to June 30, 1865, was 42,809,168 pounds. The income tax was considered as less detrimental to the country than any other form of taxation, with the exception of the excise on spirituous and fermented liquors and tobacco. But the discrimination in the rate levied on incomes above or below \$5,000 was unjust, and in fact a tax on the results of successful industry and enterprise, and should be abrogated and the rate equalized at five per centum. The exemption of six hundred dollars,

at the time it was adopted, was deemed sufficient to enable a small family to procure the bare necessities of life. Under the expansion of the currency, the purchasing power of one thousand dollars declined until it became no greater than that of six hundred dollars when the exemption was adopted. By authorizing the deduction of rental, those of an excessive and unreasonable amount were often deducted, and considerable sums might have been gained to the revenue in cities by allowing a deduction of only a fixed amount. This tax has been assessed on the income of the calendar year and not on that of a fiscal year. Thus the incomes of 1862 were assessed in 1863, and the tax mainly included in the receipts of the fiscal year 1864. The receipts from this source, since 1863 inclusive, have been as follows:

Fiscal year 1863.....	\$455,741
“ 1864.....	14,919,279
“ 1865.....	20,567,350
First six months of 1866.....	54,549,128

An annual revenue of fifty millions has been estimated from this source. That from banks, in 1865, amounted to \$13,579,594, and it was estimated that a similar amount would be collected in the immediate future. It was also estimated that the receipts from licences by the extension of the revenue laws over the whole country would be greatly augmented. The revenue from stamps proved to be, perhaps, the most easily collected, with small expense, and with comparatively little fraud. It can be readily augmented, without detriment to the industry of the country. The adhesive revenue stamps embraced eight different classes or sizes, and thirty-two denominations, varying from one cent to two hundred dollars. They were engraved on steel in an elaborate manner, and were believed to possess every guaranty against counterfeiting which the best skill and knowledge could afford. To this security was added the safeguards of gumming and perforation, processes necessary to perfect every stamp, and requiring costly and peculiar machinery. No successful counterfeit of them has thus far been made. Six-sevenths of the entire consumption has consisted of the two-cent bank-check and receipt stamps, the various proprietary stamps, and the one-cent stamp required to be affixed to matches. Thus the most important results in this department of revenue flow from the smallest stamp taxes universally diffused. In 1865 one-third of the stamp revenue was derived from bank-check receipts and match stamps. Considering the small actual tax of one cent on each bunch, and the insignificance of the business, as contrasted with many others, this product of industry probably affords the largest comparative revenue accruing under the excise. A legacy and succession tax is based upon the belief that the entire property of the country changes hands once in thirty years. An estimate at the surrogate's office in New York is that the amount of property annually passing



in the city, by will, or inheritance of kin, is about thirty-one millions of dollars. Such taxes when moderate have little influence in checking the development of industry. A tax of one per cent., it was estimated, would yield three millions of dollars annually. The taxes on gross receipts are those mainly levied on transportation and intercommunication. The majority of them, excepting railroads, yield an inconsiderable revenue. The receipts from bridges and toll-gates, in 1865, were \$75,269; from canals, \$92,421; from ferries, \$126,133; from stage-coaches, wagons, etc., \$469,188; and from railroads, \$5,917,293. The tax on sales of stock-brokers was one-twentieth of one per cent., or five dollars on the sales of ten thousand dollars of the par value of the stock sold, which proved to be too heavy to be raised from the whole amount of the business transacted, and was, doubtless, largely evaded. The

stock-brokerage business is otherwise most frequently taxed; a tax being imposed upon every certificate of stock taken, and on every contract for delivery of stock. So that if it had been possible absolutely to enforce the law, the brokerage business for the sale of stocks would have been nearly or quite extinguished. It was suggested that the tax should be made one-hundredth of one per cent. It is a long-recognized and sound commercial principle that large and frequent business transactions, turning on small profits, should be subjected to the minimum specific tax. After some amendments of the internal revenue law on some of the points above noticed, and with an estimate of \$130,000,000 from customs, and \$21,000,000 from miscellaneous sources, the following estimate was presented by the commissioners above mentioned, as the aggregate results for the fiscal year ending June 30, 1867:

*Aggregate results for the fiscal year ending June 30, 1867.*

From Customs.....		\$130,000,000
“ Excise, viz.:		
“ Distilled spirits.....	\$40,000,000	
“ Fermented liquors.....	5,000,000	
“ Tobacco and its manufactures.....	18,000,000	
“ Cotton (raw).....	40,000,000	
“ Coal-oil, refined petroleum, etc.....	3,000,000	
“ Spirits of turpentine, and rosin.....	2,000,000	
		\$108,000,000
“ Licenses.....	15,000,000	
“ Incomes.....	40,000,000	
“ Salaries.....	2,000,000	
“ Banks.....	15,000,000	
“ Stamps.....	20,000,000	
“ Gross receipts.....	9,000,000	
“ Sales.....	4,000,000	
“ Legacies and successions.....	3,000,000	
		\$108,000,000
Miscellaneous receipts, 1866-'67.....		21,000,000
Aggregate.....		\$367,000,000

By adding to the above sum the amount received in the fiscal year 1865, from the various direct and indirect taxes on industry, which, excepting the amounts derived from the excise on spirits, beer, tobacco, cotton, petroleum, and naval stores, was estimated at about sixty-eight millions of dollars, and the gross revenue possible from all sources by the above estimate is four hundred and thirty-five millions of dollars. Allowing the annual expenditures to be increased sixteen millions, and setting aside fifty millions for the reduction of the public debt, a surplus would remain of sixty-eight millions applicable to the reduction of taxation. Accepting these results as substantially correct, the possibility of adopting a revenue policy which should consist in concentrating the sources of revenue, and of relieving industry of all those burdens which tend to check its development, was demonstrated. All parties, however, were conscious that in the existing condition of the currency, and of the trade and commerce of the country, any financial estimate which could be made of the future must be somewhat problematical and liable to be affected by causes which the most sagacious

could not foresee. The views of this commission on the course to be pursued for the future were that at this time no such amount as fifty millions should be withdrawn from the revenues for the redemption of the principal of the public debt. On the contrary, they believed it to be the true interest of the government that taxation should be reduced at the earliest possible moment, to its minimum, thereby making sure the future industrial development of the country; and that no considerable sum should be immediately raised by taxation for the reduction of the principal of the public debt. In this view, consideration was had for the fact that the Government had taken to itself nearly every source of revenue except the single one of real estate, which was already burdened with the indebtedness of the State governments, that the people were largely in debt, and that the development of the country had hitherto surmounted every financial embarrassment.

On July 13, 1866, Congress passed an act relative to internal revenue, which provided for an abatement or repeal of the taxation on various articles amounting to nearly fifty millions of dollars. This legislation gave sensible



and timely relief to many branches of industry, especially crude petroleum, domestic sugars, clothing, boots and shoes, books, cordage, railroad freights, and the manufactures of steel, iron, chains, cables, etc. The prices of the articles, however, did not show a reduction corresponding to that of the taxation; but on the contrary, in some instances, owing probably to the fact that heavy taxation had previously diminished production to a point absolutely below the necessary supply, the prices seemed to have been concurrently advanced with the abatement of taxes. The tax on stock-brokers' sales was changed to one-hundredth of one per cent., payable by means of stamps affixed to the bill or memorandum of each sale, with the most satisfactory results. Brewers of fermented liquors were required to make monthly returns of the product of manufacture, and to affix an adhesive paper stamp to each barrel sold, which was to be cancelled by the retailer. This plan proved to be a success in preventing frauds.

But it is necessary to consider the present tariff system of the country and its operation in order to have a full view of all the elements which enter into the financial condition of the Government and country. The rates of duty imposed by the tariff in operation at the beginning of 1866, were about forty per cent. on the total value of imports, and about forty-three per cent. on the values of those paying duty. The following table exhibits the annual imports and exports, and duties of the United States from 1859 to 1866 inclusive:

FISCAL YEAR.	Value of Imports.	Value of Exports.	Duties received.
1859 .....	\$338,765,130	\$356,789,462	\$49,565,824
1860 .....	362,163,941	400,122,296	53,187,512
1861 .....	350,775,835	410,856,818	39,582,126
1862 .....	205,819,823	229,790,280	49,056,398
1863 .....	252,187,587	331,809,459	69,059,642
1864 .....	328,514,659	340,665,580	102,316,153
1865 .....	234,434,167	336,697,123	84,928,260
1866 .....	437,638,966	179,046,630	

So far as relates to the amount of revenue collected, no satisfactory reasons could be brought forward in support of a demand for an extensive change in the existing rates of duty. Since the revision made in 1864, the revenue has reached a point much larger than was ever anticipated, and beyond which no material increase can probably be obtained except by a large increase of importations. Reasons for a change of the existing rates were, however, urged from the condition and necessities of various industrial interests of the country, especially those brought into competition with similar producing interests of other countries. The condition and necessities of those industrial interests demanding a change in the rates of duty on imports, were not the results of the previous duties imposed, but the consequences of abnormal and unusual occurrences existing in other departments of social affairs, and operating upon those branches of industry affected by

duties on imports. The basis of all values was a paper currency, the influence of which was felt immediately by those manufacturers that came into competition with the productions of other countries, whose basis of all values was gold and silver. The condition into which these industrial interests had been brought is chiefly shown by the advance in prices. The advance in the prices of the leading articles of consumption and in rents indicates an increase of nearly ninety per cent. in 1866, as compared with the mean prices during the four years from 1859 to 1862. The advance in breadstuffs is estimated at about 70 per cent.; coal (anthracite), 60 to 70 per cent.; salt fish, from 60 to 75; pork and beef, from 110 to 120; butter, over 100 per cent.; rice, 100; salt, from 110 to 120; soap, from 80 to 90; brown sugars, from 70 to 80; coffee, from 30 to 40; and teas, 140 to 150 per cent. The currency prices of textile cottons in October, 1866, show a nominal advance over the gold prices of such fabrics in July, 1860, of 172 per cent.; the advance in the gold prices in the same period having been 81 per cent., assuming the premium on gold in October to have been 50 per cent. A portion of this advance in these textiles must be attributed to the advance in raw cotton, which varied from 300 to 500 per cent. above the price in 1860. The advance in the cost of manufacturing goods in one of the Eastern mills in 1866 over the average from the years 1857 to 1861, was 133½ per cent. On the manufacture of woollens suitable for ordinary domestic use, the advance was estimated at 53 per cent. On silk goods in general, the advance was estimated at an average a little over 100 per cent., the lower grades having advanced at a still higher ratio. The average increase in the price of labor since 1860 has been estimated at 60 per cent., although no very exact and comprehensive statement can readily be made, owing to the varying nature of the conditions which affect the estimate. The following data in branches of manufacture show the advance from 1860 to 1866:

BRANCH OF MANUFACTURE.	Advance in wages 1860 to 1866.	
	Per cent.	
Agricultural implements.....	55 to 60	
Agricultural laborers in the Northern, Middle, and Western States, average.....	50	
Book-binding .....	37½ to 50	
Boots and shoes—Men's .....	50	
Women's and children's.....	25 to 33	
First-class custom work..nearly	100	
Car building—Skilled mechanics, 60 to 75 per ct. } Laborers, and unskilled, 50 per } cent.....	60	
China decorating.....	60	
Clothing—Ready made.....	50	
Custom work.....	95	
Copper mining.....	100	
Cotton manufactures—general average of all branches .....	66½ to 90	
Furniture—Cabinet.....	85	
Hardware—Files.....	43½	
Locks.....	66½	
Saws .....	75	
Hats, wool and fur.....	60	
India-rubber manufactures.....	80	
Ink, printing.....	75	
Iron—Founding.....	50 to 60	
Rolling .....	75 to 80	
Wire.....	75	



Jute manufactures.....	89
Locomotives and machinery in Paterson, N. J., average.....	93
Machinery, cotton and woollen, average.....	60
Machinery, general average.....	60
Machinists' tools.....	63
Paper hangings—Machine tenders and block cutters.....	50
Hand printers.....	72
Laborers.....	63
Printing—Composition.....	45 to 50
Saddlery and harness.....	62½
Ship-building.....	71
Silk trimmings, etc.....nearly	100
Stereotyping.....	50
Umbrellas and parasols.....	47½ to 50
Woollen goods—Miscellaneous.....	67
Carpetings.....	85

The following estimates of the increased advance in wages (1861-'66), in the cities and States below named, were carefully made at the instance of the Commissioner of Revenue, by intelligent and reliable gentlemen :

BRANCHES OF MANUFACTURE.	Advance in wages from 1860 to 1866, Per cent.
In all the manufacturing establishments in the town of Chester, Penn., the estimate average increase is.....	26
In Canton, Stark Co., Ohio.....	57½
In the city of Worcester, Mass.....	87½
In the city of Baltimore, Md., carpenters.....	100
Plumbers and tinnerns.....	75
While in all branches of industry, including laborers as well as mechanics, the general average increase is.....	50
In the State of Ohio, where the large majority consists of farm laborers, the average is.....	50
In Massachusetts the increase in mechanics' wages is.....	60
While that of all employes in this State, male and female, and including farm laborers, is.....	50
In Western New York, the increase of wages of skilled farm laborers has been seventy-six per cent.; for month and day laborers, from fifty to sixty per cent.; for mechanics' labor, from fifty to one hundred per cent.	

By the census of 1860, the average monthly wages of those employed in all branches of manufactures, was, of males, \$27.10, and of females \$12.50; while by the census of New York in 1865, the average monthly wages in the whole State was, for males, \$44, and for females, \$20; being an increase of sixty-two per cent. for males, and sixty per cent. for females. The average advance in the rents of houses occupied by mechanics and laborers in the great manufacturing centres of the country is estimated to have been about 90 per cent.

The effect of this great increase of prices has been a decrease of production and consumption, and a partial suspension of the development of the country. Thus a comparison of the industry of Massachusetts at the two periods of 1855 and 1865, in the articles of cotton goods, calico, woollens, paper, rolled and slit iron and nails, clothing, leather, boots and shoes, mackerel and cod fisheries, it appears that the decrease in the number of hands employed at the latter period is about 11 per cent. Some of this decrease may have arisen from labor-saving machinery. But the gold value of the industrial products above specified, at the latter period as compared with the former, showed a decline of nearly 3½ per cent. The cotton manufactures of the two periods, other than calico, show a decrease in the number of hands employed of 31 per cent., and in the quantity of raw cotton used 56 per cent., while the diminution of product was 47 per cent. and the average value of the cotton goods per yard, showed an increase in gold in 1865 over 1855 of 75 per cent. The following table presents further details :

PRODUCTS.	No. of hands employed in 1864-'5, to 100 in 1854-'5.	Value of products in 1864-'5, to \$100 in 1854-'5.		Amount of capital invested in 1864-'5, to \$100 in 1854-'5.	
		In currency.	In gold at \$2.07.	In currency.	In gold assumed at \$1 25 at dates of investment.
Cotton goods (exclusive of calico).....	69	\$208	\$100¼	\$104	83
Calico.....	67	265	128	.....	.....
Woollens.....	183	400	193	202	162
Paper.....	135	218	105	148	118
Rolled and slit iron and nails.....	105	146	71	121	97
Clothing.....	108	196	95	167	134
Leather.....	122	145	70	120	96
Boots and shoes.....	74	141	68	.....	.....
Fisheries (mackerel and cod).....	109	246	145	100½	80
Total products specified.....	89	200½	96½	124	99½

Corresponding illustrations are furnished in other parts of the country. Thus at Pittsburg, Pa., the value of the manufacturing products of the city in 1859-60 were \$42,805,500 in gold, and in 1865-66, \$64,280,069 in currency, which at an average gold premium of fifty per cent. shows nearly similar results.

In consequence of the great advance of the prices of all labor and materials, the products of American industry were exposed to a most unfair competition, both in the home and foreign

markets, with the products of other countries made from untaxed raw materials, having the advantage of cheaper capital and lower wages of labor. In nearly every department of industry the possession of the home market has become seriously interfered with, while the ability to compete with foreign nations in foreign markets is restricted to the sale of a few articles in which the American producer is largely favored by natural or accidental advantages, as in the case of cotton, petroleum, etc. The fol-



lowing table prepared at the Bureau of Statistics shows the decrease in the exportation of various articles during the fiscal year 1866, as compared with each of the previous five years.

ARTICLES.	Year 1860.	Year 1861.	Year 1863.	Year 1864.	Year 1865.	Year 1866.
	Value.	Value.	Value.	Value.	Value.	Value.
Apples, green and dried.....	\$206,055	\$269,363	\$364,628	\$733,191	\$578,807	\$197,198
Ashes, pot and pearl.....	822,820	651,547	513,704	468,626	727,229	298,139
Beer, ale, porter, and cider, in casks.....			101,507	101,244	141,345	61,200
Beer, ale, porter, and cider, in bottles.....	22,202	13,604	27,669	25,073	21,806	4,245
Boots and shoes.....			1,329,009	1,415,775	2,023,210	590,382
Butter.....	1,144,321	2,355,985	6,733,743	6,140,031	7,234,173	1,267,851
Cables, cordage, and twines.....	246,572	255,274	409,050	553,497	972,348	173,852
Candles, other than sperm, paraffine, and adamantine.....				1,027,931	1,251,123	614,842
Clocks.....				476,717	905,541	344,168
Copper.....				43,229	699,647	33,558
Copper and brass, manufactures of, not specified.....	1,664,122	2,375,029	1,026,038	208,043	280,938	110,208
Cotton manufactures, printed and dyed.....	3,356,449	2,215,032	630,558			88,742
Cotton manufactures, miscellaneous.....	5,792,752	4,364,379	1,951,576	945,664	2,558,876	973,427
Hats of wool, fur, or silk.....	118,770	106,512	51,340	91,619	190,198	74,730
Hats of palm-leaf, straw, etc.....	92,832	50,444	207,843	96,391	253,025	42,741
Hemp.....			70,348	246,257	259,393	27,161
Hops.....		2,006,053	1,733,265	1,217,075	1,348,263	108,752
Lead and lead pipe.....	50,446	6,241	22,634	18,718	129,201	2,323
Leather.....	674,309	555,202	634,574	290,657	517,717	129,700
Coal.....				676,444	821,088	456,955
Soap.....			736,524	790,872	983,477	662,291
Tobacco, manufactured.....	3,372,074	2,742,828	3,384,544	3,603,756	3,439,979	1,794,689
Wheat flour.....		24,645,849	28,366,069	25,588,249	27,222,031	18,366,686
Wood manufactures, not specified...	2,703,095	2,344,079	2,549,056	638,435	858,236	720,625

But the decline of the various branches of industry is clearly indicated in the shipping interest. The amount of American registered tonnage engaged in foreign trade in 1865-'66 was 1,492,924 tons, while in 1859-'60 the amount of this tonnage was 2,546,237 tons; which, allowing for the difference between the old and new measurement, indicates a decrease in five years of over fifty per cent. In 1853 the tonnage of the United States was about 15 per cent. in excess of that of Great Britain, whereas at the present time it is estimated at 33 per cent. less. The coastwise and inland commerce, by the official returns, after making allowance for the difference of measurement, shows a decrease of about 12 per cent. In the Brazilian, or South American trade, in 1861-'62, one hundred and ninety vessels were engaged, of which at present only thirty are reported as remaining, while the number of foreign vessels engaged in the same trade, has, during the same time, increased nearly threefold. One cause of this change was undoubtedly the frequent presence upon this part of the ocean of the Alabama and other privateers. The number of vessels of all classes engaged in the foreign trade which arrived at the port of New York during 1866 was 4,892, of which 1,658 were American bottoms, and 2,410 British bottoms. The building of ships has to a great extent been transferred from the Atlantic coast of the United States to the British Provinces, where the tonnage, especially in New Brunswick and Nova Scotia, during the five years ending June 30, 1865, has increased

respectively 69 and 71 per cent. The decline of the foreign tonnage of the country has been commonly referred to the war; but since this cause ceased to operate, the declining movement has continued to prevail. The shipbuilding of the country had almost entirely ceased during the latter part of the year. Previous to 1860 about one-half of the product of the copper mines of Lake Superior was exported to France and Germany; now the proprietors of these mines represent that their whole investments are threatened with ruin through failure to secure even the home market. During the year, flour from France and starch from Great Britain were imported into New York and Boston to be sold at a profit. The machinery for the manufacture of cotton and for refining sugar, is now in a very large proportion made abroad, as the price is about one-third less than that for which the same can be constructed in the United States. The value of that in the course of construction in Europe at this time is estimated at three millions of dollars. Notwithstanding the embarrassments to some manufacturing establishments, they were kept in operation at the merest appreciable profit, and every expedient for economizing labor and perfecting profit was resorted to. Other establishments continued to divide large profits among their stockholders, although their exhibits were generally less favorable than for the preceding year. The following were the dividends of some manufacturing companies of Massachusetts:



STOCKS.	Capital.	DIVIDENDS.				Amount Jan- uary, 1867.
		July. 1865.	January. 1866.	July. 1866.	January. 1867.	
Androscoggin.....	\$1,000,000	15	25	20	20	\$200,000
Appleton.....	600,000	5	20	10	10	60,000
Atlantic.....	1,500,000	0	10	4	0	.....
Bates.....	1,000,000	10	25	10	5	50,000
Chicopee.....	420,000	20	30	15	20	84,000
Cocheco.....	2,000 sh.	\$20	\$40	\$50	\$50	100,000
Contoocook.....	140,000	....	4	4	5	7,000
Douglas Axe.....	400,000	5	5	10	6	24,000
Dwight Mills.....	1,700,000	0	3	3	0	.....
Franklin.....	600,000	5	10	10	10	60,000
Great Falls.....	1,500,000	0	5	3	3	45,000
Hamilton Cotton.....	1,200,000	0	5	0	5	60,000
Hill Mill.....	700,000	5	10	20	20	140,000
Jackson Company.....	600,000	5	15	5	5	30,000
Lancaster Mills (par 400).....	800,000	6½	20	25	10	80,000
Langdon Mills.....	225,000	5	25	25	25	56,250
Lowell Bleachery.....	300,000	5	5	5	5	15,000
Manchester P. W.....	1,800,000	4	12	6	6	108,000
Massachusetts Mills.....	1,800,000	3	7	0	6	108,000
Merrimack.....	2,500,000	....	....	7½	15	375,000
Middlesex Mills.....	750,000	7½	10	5	5	37,500
Nashua.....	1,000,000	10	25	10	10	100,000
Naumkeag.....	1,200,000	4	10	10	12	144,000
Newmarket (par 700).....	600 sh.	\$21	\$100	\$50	\$70	42,000
Pacific.....	2,500,000	10	14	12	12	300,000
Salisbury.....	1,000,000	7½	15	10	7½	75,000
Salmon Falls (par 300).....	600,000	3	7	3	0	.....
Stark Mills.....	1,250,000	8	12	5	10	125,000
Washington Mills.....	1,650,000	8	10	10	10	165,000
Total.....						\$2,590,750

The Special Commissioner of Revenue (Mr. Wells) says: "Although it is an interesting fact, that investigation under such circumstances should reveal any degree of national progress, at the same time the demand for relief from the producing interests of the country, both manufacturing and agricultural, is most urgent and general; and however it may have been heretofore, it is certain that at present, in many descriptions of manufacture, the internal rates of taxation, superadded to the high prices paid for raw materials and for labor, sweep nearly all the profits into the coffers of the Government, and in many instances actually offer a bounty to the foreign competitor."

Those who find their industrial pursuits thus injured, or in danger of destruction by a foreign competitor, were urgent that Congress should advance the rates of duty upon their manufactures. Such a measure might afford them a temporary relief without exerting any beneficial influence upon the great problem before the country. No such advance of duties was required for the necessary increase of the revenue, as has already been stated. Such legislation, therefore, could be sustained only upon the still disputed principle that it was the duty of the Government, in all cases, to protect manufactures.

The special facts thus far stated relative to the operation of the currency, the internal revenue and tariff laws, present a very imperfect view of the condition of the great industrious

mass of the community. Before the war the revenue of the Federal Government was about \$60,000,000 annually, chiefly derived from customs and land sales. No direct tax was levied upon the people, except for State and local expenditures, and these were moderate in amount. But during the last year the Government took from customs and internal revenue alone nearly \$500,000,000 from the people, while the State, county, township, and city taxes have also vastly increased. The prices of all articles of prime necessity have also greatly increased, while agricultural products generally have advanced little more than the appreciation of gold. Wages are higher, but the advance is not proportioned to the rise in rent, fuel, and household necessities. The Chairman of the Ways and Means Committee of the House of Congress says: "A printer in Washington now gets \$24 per week, and works but eight hours per day, where he formerly received \$14 per week, and worked ten hours per day, and yet he will tell you that his condition and means to support a family have not been bettered." The industrial classes have been growing worse off, able to purchase less, and to save less; this poverty reacts on both traders and manufacturers.

The Commissioner of Internal Revenue thinks there have been three causes for the abnormal condition of the country, and suggests three corresponding remedies. The first cause has been a scarcity of skilled labor, which no legislation can remedy, except by creating encour-



agement to immigration; the second cause has been, as he suggests, the adoption on the part of the Government, as a measure of value, as a medium of exchange, and as a legal tender, of an irredeemable paper currency, the remedy for which is a return to specie payment through the agency of contraction applied to the greatest possible extent, and at the earliest possible moment, compatible with the condition of the industrial interests of the country, and of the public obligations; the third cause, and perhaps the most influential, has been the extent of the burden of national taxation, which is thus illustrated:

	Taxation per capita.	National Debt per capita.
United States.....	\$11.46 gold	\$74.28
Great Britain.....	10.92 "	125.00
France .....	7.97 "	53.00
Belgium.....	5.59 "	26.00
Prussia.....	5.43 "	12.00
Austria.....	5.27 "	45.00

The remedy suggested by the Commissioner is such a reduction of the existing taxes as can now be made compatible with the demands of the treasury for expenditures, interest, and a certain reduction of the national debt.

The Secretary of the Treasury, embracing in his view the currency, as well as the systems of taxation, suggests five measures as remedies for the present condition of the country. In the first place he would compel the national banks to redeem their notes as well at the commercial centres as at their own counters. Without such redemption there would be practically none at all until specie payments are resumed, and where there are no redemptions there is always a constant tendency to inflation and illegitimate banking. The frequent return of their notes is needed to keep the business of the banks in a healthy condition. The second remedy suggested by the secretary is a curtailment of the currency by the withdrawal of the United States notes. The present banks having taken the place of the State banks, and furnished a circulation as free from objection as any that is likely to be provided, they should be sustained, and not compelled to retire their notes. How rapidly the Federal notes may be retired must depend upon the effect which contraction may have on the business and industry of the country, and can be better determined as the work progresses. It could probably be increased to six millions per month for the fiscal year, ending July 30, 1867, and to ten millions per month thereafter. The policy of contraction should be definitely and unchangeably established, and the process should go on as rapidly as possible without producing a financial crisis, or seriously embarrassing those branches of industry and trade upon which the revenues are dependent. The third remedy suggested was a revision of the tariff for the purpose of harmonizing it with the internal taxes, etc. The question now before the

country he regards as one of adaptation rather than principle. How shall the necessary revenue be raised under a system of internal and external taxes without sustaining monopolies, without repressing industry, without discouraging enterprise, without oppressing labor? In other words, how shall the revenue be raised in a manner the least oppressive to the people without checking the growth and prosperity of the country? To the legislation now required, the Secretary of the Treasury recommended as a guide the following general principles: First, that the fewest number of articles now required, consistent with the amount of the revenue to be raised, should be subjected to internal taxes, in order that the system may be simple in its execution, and as little offensive and annoying as possible to the tax-payers. Second, that the duties upon imported commodities should correspond and harmonize with the taxes on home productions, and that these duties should not be so high as to be prohibitory, nor to build up home monopolies, nor to prevent that free exchange of commodities which is the life of commerce. Nor, on the other hand, should they be so low as to seriously impair the revenues, nor subject the home manufacturers, burdened with heavy internal taxes, to a competition with cheaper labor and larger capital, which they may be unable to sustain. Third, that the raw materials used in building and manufacturing, and which are to be largely enhanced in value by the labor to be expended upon them, should be exempted from taxation, or that the taxes upon them should be low in comparison with the taxes upon other articles. Fourth, that the burdens of taxes should fall chiefly upon those whose interests are protected by taxation, and upon those to whom the public debt is a source of wealth and profit, and lightly upon the laboring classes, to whom taxation and debt are without so many compensatory advantages. With these views upon the manner in which the tariff and internal revenue laws should be modified, the Secretary still further proposed, as a fourth remedy for the condition of the country, an issue of bonds bearing interest at a rate not exceeding five per cent., and payable in Europe, to an amount sufficient to absorb the six per cent. bonds in foreign hands, and supply the European demand for United States securities for permanent investment. The opinion that the country has been benefited by the exportation of its securities, which is founded upon the supposition that real capital has been received in exchange, is to a great extent unfounded. The importation of goods has been increased by nearly the amount of the bonds which have been exported. Not one dollar in five of the amount of the five-twenties now held in England and upon the Continent has been returned to the United States in the form of real capital. Some three hundred and fifty millions of government bonds, not to mention State and railroad bonds and other securities,



are in the hands of citizens of other countries, and may be returned at any time for sale in the United States, and thus seriously embarrass the efforts to return to specie payments. To avoid this embarrassment is the point to be considered. The last general remedy proposed by the Secretary is to restore to their former position in the Union, the ten Southern States.

If these remedial measures should be approved by Congress and enforced by appropriate legislation, the Secretary expressed his conviction that specie payments could be resumed by the time the interest-bearing notes were retired, which would be less than two years. These suggestions of the Secretary looked to an increase of labor, and consequently of production—to a fulfilment of obligations by the government and by the banks—to a reduction of the public debt at the same time that taxes were equalized and lessened—to lower prices, and apparently harder, but really more prosperous times, and to a restoration of specie payments without the financial troubles usually preceding a resumption.

Various views were presented in different quarters respecting the measures necessary for the future financial welfare of the country. Some urged the extinction of the national banks, and the substitution in their place of a government currency. Others urged, with the Secretary, a contraction of the currency. Among these was the Chairman of Ways and Means (Mr. Morrill), in the lower house of Congress, who, in the beginning of 1867, thus closed a speech urging a resumption of specie payments:

From the facts to which I have already called the attention of the House, it would appear to be demonstrated that the simultaneous discovery of new auriferous deposits in various parts of the world, of marvellous extent and richness, has rapidly and forever depressed the standard value of gold, whether as a currency or as a commodity, throughout all civilized nations, and that the United States standard of the precious metals used as currency has been depreciated from time to time, either by alloy or diminished weight, until it compares unfavorably with that of other nations; that while we have already entirely extinguished or propose to extinguish the circulation of State banks, we have supplied its place and much more by the erection of a family of national banks, whose issues alone are \$100,000,000 greater than the circulation displaced—issues everywhere practically irredeemable and inconvertible, and only claiming to be convertible at some time or other into other paper currency of still larger proportions, which government will in some way and at some time redeem, if it does not choose instead to go more deeply into the monopoly of fancy-colored paper money; that deposits, bills of exchange, and checks of individuals really possess in commercial transactions all the functions of bank-note currency, and in modern times are used at least nine times more extensively, and therefore, in proportion to the business of the world, far less money is actually required than formerly; that the rapidity of the circulation of money, or whatever circulates as money, greatly magnifies any currency which may be used in the United States; that the immensity of our paper-money circulation tends to the spread of unthrifty habits, and induces extravagance on the part of Congress and the executive de-

partments as well as the people; that a postponement of the time of resumption will find our people less prepared—more deeply in debt, the banks with a heavier line of discounts, and the credit system more expanded everywhere—than now, for a wise, steady, and prudent adherence to the idea of an early resumption, and without this cardinal idea always in front, we are in danger, in the face of a diminishing revenue, of no resumption at all. A violent or abrupt contraction of the present volume of paper currency might not be advisable, and with the ever-present interest of the Treasury urging the maintenance of an easy money-market, there is no danger of its occurrence; but a moderate and persistent contraction of the flood within its old embankment is advisable, in order to restore health and vigor to languishing industries, and in order to build up our greatness as a nation upon that impregnable foundation for which the material, not more precious than solid, has been placed by Providence within our reach, and in greater abundance than is to be found in all other countries besides. We have just emerged from a most expensive war, and ought to exhibit that spirit which success justly inspires, grappling with the financial difficulties remaining as part of our inheritance with the courage that conquers, and thus secure the vital interests of our own people while we challenge the respect of foreign nations.

From all the facts which have been stated, comprising, as they do, a history of the financial condition of the Government and people, it will be seen that the Federal Government requires large sums of money for the years immediately ensuing; that its systems of revenue being based upon the industry of the people, its receipts are increased or diminished according to the prosperity of the people; that at the close of the year serious depression existed in many branches of industry and threatened to invade all others, and cause to the Government a serious loss of revenue; that this depression was partly a result of the inflated paper-currency of the country; and that the Government, under the reduced scale of business on a specie basis, could not obtain the revenue necessary to its expenditures. In other words, a contraction of the currency would cramp and cripple the Government, but bring healthy prosperity to the people; whereas an expansion of the currency would give the Government temporarily a surplus, but ultimately depress the people. The Secretary hopes to find a medium way between these extremes; others believe the immense richness of the country will float both Government and people into a sea of healthy prosperity.

The following is a statement of the public debt June 30, and October 31, 1866, exclusive of cash in the Treasury:

DENOMINATIONS.	June 30, 1866.	Oct. 31, 1866.
Bonds, 10-40's, 5 per cent., due in 1904.....	\$171,219,100 00	\$171,069,350 00
Bonds, Pacific R. R., 6 per ct., due in 1895 and 1896,	6,042,000 00	9,882,000 00
Bonds, 5-20's, 6 per ct., due in 1882, 1884, and 1885..	722,205,500 00	828,944,000 00
Bonds, 6 per cent., due in 1868.....	8,908,841 80	8,290,941 80
Bonds, 6 per cent., due in 1867.....	9,415,250 00	7,742,800 00
Compound-interest notes, due in 1867 and 1868....	159,012,140 00	148,512,140 00
7.80 Treasury notes, due in 1867 and 1868.....	806,251,550 00	724,014,300 00
Total.....	\$983,587,281 80	\$888,560,181 80



DENOMINATIONS.	June 30, 1866.	Oct. 31, 1866.
Bonds, Texas indemnity, past due, not presented..	\$559,000 00	\$384,000 00
Bonds, Treasury notes, etc., past due, not presented.....	3,815,675 80	.....
Bonds, Treasury notes, temporary loan, certificates of indebtedness, etc., past due, not presented .....	.....	36,604,909 21
Total.....	\$4,374,675 80	\$36,988,909 21
Temporary loan, ten days' notice.....	\$120,176,196 65	.....
Certificates of indebtedness, past due, not presented.....	26,391,000 00	.....
Total.....	\$146,567,196 65	.....
Bonds, 6 per cent, due in 1881 .....	\$265,317,700 00	\$265,324,750 00
Bonds, 6 per cent., due in 1880 .....	18,415,000 00	18,415,000 00
Bonds, 5 per cent., due in 1874 .....	20,000,000 00	20,000,000 00
Bonds, 5 per cent., due in 1871 .....	7,022,000 00	7,022,000 00
Navy pension fund, 6 pr ct. ....	.....	11,750,000 00
Total.....	\$1,210,221,300 00	\$1,327,407,100 00
United States notes.....	\$400,891,368 00	\$390,195,785 00
Fractional currency.....	27,070,876 06	27,588,010 33
Gold certificates of deposit.	10,713,180 00	10,896,980 00
Total.....	\$428,675,424 96	\$428,680,775 33
Total debt.....	\$2,783,425,879 21	\$2,681,636,966 34
Cash in Treasury.....	132,887,549 11	130,326,960 62

The Secretary estimates that the receipts and expenditures for the three quarters ending June 30, 1867, will be as follows:

## RECEIPTS.

Receipts from customs.....	\$110,000,000 00
Receipts from lands.....	500,000 00
Receipts from internal revenue.....	186,000,000 00
Receipts from miscellaneous sources.....	20,000,000 00
Total.....	\$316,500,000 00

The expenditures, according to his estimates, will be—

For the civil service.....	\$37,405,947 89
For pensions and Indians.....	12,262,217 21
For the War Department, including \$15,000,000 for bounties.....	58,804,657 05
For the Navy Department.....	23,144,810 31
For interest on the public debt.....	105,551,512 00
Total.....	\$237,169,143 96
Leaving a surplus of estimated receipts over estimated expenditures of.....	\$79,330,856 40

The receipts for the next fiscal year ending June 30, 1868, are estimated as follows:

From customs.....	\$145,000,000 00
From internal revenue.....	265,000,000 00
From lands.....	1,000,000 00
From miscellaneous sources.....	25,000,000 00
Total.....	\$436,000,000 00

The expenditures are estimated as follows:

For the civil service.....	\$50,067,342 08
For pensions and Indians.....	25,388,489 09
For the War Department, including \$64,000,000 for bounties.....	110,861,961 89
For the Navy Department.....	30,251,605 26
For interest on the public debt.....	133,678,243 00
Total.....	\$359,247,641 32

Leaving a surplus of estimated receipts over estimated expenditures of..... \$85,752,358 68

In the opinion of the Secretary specie payments may and ought to be resumed as early as the first day of July, 1868; at the same time he expresses the hope it may be brought about at an earlier day.

In the following table (see page 307) are given the daily prices of gold at New York during the year 1866:

The following shows the range of daily closing prices for Government securities, monthly, of the year 1866:

MONTHS.		6s', 1881.		6's (5-20's).		5's (10-40's).		7-30's, 1867.	Certi-ficates.
		Coup.	Reg.	Coup.	Reg.	Coup.	Reg.		
January .....	Highest.....	104 $\frac{1}{2}$	104 $\frac{1}{2}$	105	102 $\frac{1}{2}$	93 $\frac{3}{4}$	93 $\frac{3}{4}$	99 $\frac{1}{2}$	98 $\frac{7}{8}$
	Lowest.....	103 $\frac{3}{4}$	103 $\frac{7}{8}$	101 $\frac{1}{2}$	101 $\frac{1}{4}$	92 $\frac{3}{4}$	93	98 $\frac{3}{4}$	98 $\frac{1}{2}$
February .....	Highest.....	104 $\frac{1}{2}$	104 $\frac{1}{2}$	103 $\frac{1}{2}$	103 $\frac{1}{2}$	94 $\frac{1}{2}$	91 $\frac{1}{2}$	99 $\frac{3}{4}$	98 $\frac{7}{8}$
	Lowest.....	103 $\frac{3}{4}$	103 $\frac{7}{8}$	102 $\frac{3}{4}$	102 $\frac{3}{8}$	93 $\frac{3}{4}$	91 $\frac{1}{2}$	99 $\frac{1}{4}$	98 $\frac{3}{4}$
March.....	Highest.....	105 $\frac{1}{2}$	105	104 $\frac{3}{4}$	104	92 $\frac{3}{4}$	91	101 $\frac{1}{4}$	99 $\frac{3}{4}$
	Lowest.....	104 $\frac{1}{2}$	104 $\frac{1}{4}$	103	103	90	90 $\frac{1}{2}$	99 $\frac{5}{8}$	98 $\frac{7}{8}$
April.....	Highest.....	108 $\frac{3}{4}$	108 $\frac{1}{2}$	106 $\frac{1}{2}$	102 $\frac{1}{2}$	96 $\frac{1}{2}$	96 $\frac{1}{2}$	100 $\frac{7}{8}$	101 $\frac{7}{8}$
	Lowest.....	104 $\frac{3}{4}$	104 $\frac{3}{4}$	103	100 $\frac{1}{2}$	91 $\frac{1}{2}$	91 $\frac{1}{2}$	100 $\frac{1}{2}$	99 $\frac{1}{2}$
May.....	Highest.....	109 $\frac{3}{4}$	109 $\frac{1}{2}$	102 $\frac{1}{2}$	102 $\frac{1}{2}$	96 $\frac{1}{2}$	96 $\frac{1}{2}$	102 $\frac{1}{2}$	100 $\frac{1}{4}$
	Lowest.....	108	108	100 $\frac{1}{2}$	101 $\frac{1}{2}$	94 $\frac{1}{2}$	94 $\frac{1}{2}$	101 $\frac{1}{2}$	100 $\frac{1}{2}$
June.....	Highest.....	110 $\frac{7}{8}$	107	104 $\frac{3}{4}$	103 $\frac{1}{4}$	97 $\frac{1}{2}$	96 $\frac{1}{4}$	103 $\frac{1}{4}$	100 $\frac{1}{4}$
	Lowest.....	109 $\frac{1}{2}$	105 $\frac{7}{8}$	102	102 $\frac{1}{2}$	96 $\frac{3}{4}$	96 $\frac{1}{2}$	102 $\frac{1}{2}$	100 $\frac{1}{8}$
July .....	Highest.....	110	109 $\frac{3}{4}$	108 $\frac{3}{4}$	106 $\frac{3}{4}$	99	98 $\frac{3}{4}$	104 $\frac{3}{4}$	....
	Lowest.....	106 $\frac{7}{8}$	108 $\frac{1}{2}$	104 $\frac{3}{4}$	105	97 $\frac{1}{2}$	98 $\frac{3}{4}$	103	....
August .....	Highest.....	113 $\frac{1}{4}$	112	113 $\frac{3}{4}$	109	103 $\frac{1}{2}$	98 $\frac{3}{4}$	107 $\frac{3}{4}$	....
	Lowest.....	109 $\frac{3}{4}$	109 $\frac{1}{4}$	108 $\frac{1}{2}$	105 $\frac{1}{2}$	99	95 $\frac{3}{4}$	104	....
September .....	Highest.....	112	112	112 $\frac{1}{2}$	108 $\frac{3}{4}$	99 $\frac{1}{2}$	99	107 $\frac{3}{4}$	....
	Lowest.....	111	111	111 $\frac{1}{2}$	108	97 $\frac{1}{2}$	99 $\frac{1}{2}$	105 $\frac{3}{4}$	....
October .....	Highest.....	113 $\frac{1}{2}$	113 $\frac{1}{2}$	112 $\frac{1}{2}$	106 $\frac{1}{4}$	100 $\frac{1}{2}$	100 $\frac{1}{2}$	107	....
	Lowest.....	111 $\frac{1}{2}$	111 $\frac{1}{2}$	111 $\frac{1}{2}$	105 $\frac{7}{8}$	99 $\frac{5}{8}$	99 $\frac{5}{8}$	106	....
November.....	Highest.....	112 $\frac{3}{4}$	114 $\frac{1}{4}$	110 $\frac{7}{8}$	108	100 $\frac{3}{4}$	100 $\frac{3}{4}$	108 $\frac{1}{2}$	....
	Lowest.....	112	112	107 $\frac{3}{4}$	106	99 $\frac{1}{2}$	100 $\frac{1}{2}$	105 $\frac{1}{2}$	....
December .....	Highest.....	113	109	108 $\frac{3}{4}$	107	100 $\frac{5}{8}$	99 $\frac{5}{8}$	105 $\frac{3}{4}$	....
	Lowest.....	110	105 $\frac{3}{4}$	105	106 $\frac{1}{2}$	99	99	104	....

In the following table are given the range of prices of some important railroad shares during each month of 1866:



MONTHS.	Chicago and Rock Island.	Erie.	Hudson River.	Illinois Cen- tral.	Michigan Southern.	New York Central.	Pittsburg, Fort Wayne and Chicago.
January .....	96½—109½	80½—93	98½—109½	115 —131½	66½—75½	90½— 98	91½—104½
February .....	98 —107	76 —85½	99 —104½	112½—116½	66½—71½	86½— 93	91½— 95½
March .....	104½—118½	74½—87	102½—109½	114½—119½	69½—83	90½— 93½	88½— 93
April .....	107 —123½	71½—79½	102½—110½	114 —124	78 —96½	90½— 93½	88 —100½
May .....	89½— 96½	55½—75	108 —113½	115 —122½	77 —81½	91½— 98½	92½—100½
June .....	91 — 98½	57½—65½	110 —113½	117 —124	78½—80½	97 — 99½	95 —100
July .....	— 95½	62 —77½	112½—120½	115½—123½	78½—84½	98½—106½	95½—103
August .....	102½—110½	66½—74½	118½—122	121½—124½	83½—87	102½—105½	102½—106½
September ...	108½—112½	68½—80½	119 —125	121 —123½	82½—88½	102 —114½	103 —108½
October .....	105½—111½	81½—95	118 —128½	123½—129	87½—93	111½—121½	106 —111½
November .....	100 —112½	70½—86½	118 —126½	116 —126½	78½—94	106½—123½	101½—111½
December ....	102 —105½	65½—74½	118½—137	115½—120	79½—83½	107½—114	104½—107½

The coinage of the United States mint and branches during the fiscal year ending June 30, 1866, was as follows:

	Pieces.	Value.
<b>GOLD.</b>		
Double eagles.....	1,374,745	\$27,494,900 00
Eagles .....	37,610	376,100 00
Half eagles.....	60,140	300,750 00
Three dollars.....	4,030	12,090 00
Quarter eagles.....	49,190	122,975 00
Dollars .....	7,130	7,130 00
Fine bars.....	141	9,115,485 46
Unparted bars.....		
Total gold.....	1,532,996	\$37,429,430 46
<b>SILVER.</b>		
Dollars.....	58,550	\$58,550 00
Half dollars.....	1,159,050	579,525 00
Quarter dollars.....	38,850	9,712 50
Dimes.....	210,650	21,065 00
Half dimes.....	214,650	10,732 50
Three-cent pieces....	22,650	679 50
Bars .....	527	916,382 08
Total silver.....	1,704,927	\$1,596,646 58
<b>COPPER.</b>		
Five-cent pieces.....	1,324,000	\$66,240 00
Three-cent pieces....	9,009,000	270,270 00
Two-cent pieces.....	6,149,000	122,980 00
Cent pieces.....	18,708,000	187,080 00
Total copper.....	35,190,000	\$646,570 00
Total coinage....	38,427,923	\$39,673,647 04

The amount of silver of domestic production deposited at the United States mint and branches from January, 1841, to June 30, 1866, has been as follows:

Parted from gold.....	\$4,848,466 97
Oregon .....	1,580 51
Arizona .....	25,861 63
Nevada .....	3,137,544 78
Lake Superior.....	164,827 37
Idaho .....	38,859 49
Georgia .....	403 83
California .....	9,136 18
New Mexico.....	25 84
Sonora.....	1,245 00
North Carolina.....	4,188 00
Colorado .....	419 00
Bars .....	16,278 22
Total .....	\$8,286,536 82

The gold and silver of domestic production deposited at the United States mint and branches

during the fiscal year ending June 30, 1866, was as follows:

<b>GOLD.</b>	
Arizona .....	\$30,430 68
California .....	14,598,191 49
Idaho .....	3,391,997 48
Montana .....	5,505,074 29
Colorado .....	1,018,471 52
Oregon.....	914,436 77
South Carolina.....	694 54
Nebraska.....	3,645 08
North Carolina.....	140,937 39
Georgia .....	91,931 39
Nevada.....	6,607 88
New Mexico.....	3,155 05
Alabama.....	1,135 00
Virginia.....	10,397 64
Kansas.....	1,767 00
Washington .....	2,232 00
Refined gold or fine bars.....	2,665,033 00
Mint bars.....	125,010 00
Parted from silver.....	459,614 26
Total gold.....	\$28,970,762 46
<b>SILVER.</b>	
Oregon.....	\$1,580 51
Arizona .....	139 63
Nevada .....	540,345 87
Lake Superior.....	22,913 96
Idaho .....	38,859 49
Georgia .....	403 83
California .....	453 00
Colorado .....	419 00
Parted from gold.....	271,888 51
Bars .....	16,278 22
Total silver.....	\$893,282 02
Tot. gold and silver of domes. prod't'n.	\$29,864,044 48
The entire deposits of gold of domestic production at the United States mint and branches to June 30, 1866, have been as follows:	
Parted from silver.....	\$3,214,457 90
Virginia.....	1,570,182 82
North Carolina.....	9,287,627 67
South Carolina.....	1,353,663 98
Georgia.....	6,971,681 50
Alabama .....	201,734 83
Tennessee.....	81,406 75
California.....	584,559,251 23
Colorado .....	12,401,374 20
Utah.....	78,559 14
Nebraska.....	3,645 08
Montana.....	7,272,456 01
Arizona.....	81,774 28
New Mexico.....	70,102 58
Oregon .....	8,182,544 36
Nevada.....	123,248 95
Dakota.....	7,958 88
Idaho.....	10,771,837 30
Washington.....	61,260 49
Vermont .....	614 00
Other sources.....	5,960,365 46
Total.....	\$652,146,656 41



## DAILY HIGHEST AND LOWEST PRICES OF GOLD AT NEW YORK.

## 1866.

Day of Month.	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.
1.	Holiday.	139 1/2%—140 1/2%	135 1/2%—136 1/2%	127 1/2%—128 1/2%	125 1/2%—127	140 1/2%—141	S.	148 1/2%—149	145 1/2%—147 1/2%	145 1/2%—146 7/8%	146 1/2%—147 3/4%	140 1/2%—141 1/4%
2.	144 1/4%—144 1/2%	139 7/8%—140 1/2%	135 1/2%—136 1/2%	127 1/2%—128 1/2%	126 1/2%—128 3/4%	140 1/2%—141 1/4%	153 3/8%—155 3/8%	147 1/2%—149 1/8%	144 3/4%—145 3/4%	147 1/2%—148 7/8%	146 1/2%—147 3/4%	140 1/2%—141 1/4%
3.	143 1/4%—144 1/2%	139 3/4%—140 1/2%	133 1/4%—134 1/2%	127 1/2%—128 1/2%	127 1/2%—128 1/2%	S.	Holiday.	147 1/2%—148 1/2%	145 1/2%—146 1/2%	148 1/2%—149 1/2%	147 1/2%—148 1/2%	140 1/2%—141 1/4%
4.	142 1/2%—143 1/2%	139 1/2%—140 1/2%	132 1/2%—133 1/2%	127 1/2%—128 1/2%	127 1/2%—127 3/4%	140 1/2%—141	152 1/2%—153 1/2%	S.	146 1/2%—147 1/2%	148 1/2%—149 1/2%	147 1/2%—148 1/2%	138 3/8%—140 1/2%
5.	142 1/2%—143 1/2%	139 1/2%—140 1/2%	133 1/4%—134 1/2%	127 1/2%—128 1/2%	S.	143 1/2%—145 1/2%	153 3/8%—154 3/8%	147 1/2%—148 1/2%	145 1/2%—146 1/2%	148 1/2%—149 1/2%	147 1/2%—148 1/2%	138 3/8%—140 1/2%
6.	142 1/2%—143 1/2%	139 1/2%—140 1/2%	133 1/4%—134 1/2%	127 1/2%—128 1/2%	127 1/2%—127 3/4%	142 1/2%—145 1/2%	153 3/8%—154 3/8%	147 1/2%—148 1/2%	145 1/2%—146 1/2%	148 1/2%—149 1/2%	147 1/2%—148 1/2%	138 3/8%—140 1/2%
7.	S.	139 1/2%—139 3/4%	131 1/2%—132 1/2%	127 1/2%—127 3/4%	127 1/2%—128 1/2%	142 1/2%—145 1/2%	153 3/8%—154 3/8%	147 1/2%—148 1/2%	146 1/2%—147 1/2%	148 1/2%—149 1/2%	146 1/2%—146 5/8%	137 1/2%—138 3/4%
8.	139 3/4%—141 1/2%	139 1/2%—140 1/2%	131 1/2%—132 1/2%	125 1/2%—126 1/2%	128 1/2%—129 1/2%	138 3/4%—141 1/4%	S.	148 1/2%—149 1/2%	146 1/2%—147 1/2%	148 1/2%—149 1/2%	146 1/2%—146 5/8%	137 1/2%—138 3/4%
9.	136 1/4%—139 1/2%	139 1/2%—140 1/2%	130 1/2%—131 1/2%	125 1/2%—126 1/2%	128 1/2%—129 1/2%	S.	148 1/2%—149 1/2%	148 1/2%—149 1/2%	145 1/2%—146 1/2%	149 1/2%—151 1/2%	146 1/2%—146 5/8%	137 1/2%—138 3/4%
10.	138 1/2%—139 1/2%	138 1/2%—139 1/2%	129 1/2%—131 1/2%	125 1/2%—126 1/2%	128 1/2%—129 1/2%	137 1/2%—139 1/2%	149 1/2%—150 1/2%	S.	145 1/2%—146 1/2%	151 1/2%—153 1/2%	149 1/2%—151 1/2%	137 1/2%—138 3/4%
11.	138 1/2%—139 1/2%	138 1/2%—139 1/2%	129 1/2%—131 1/2%	125 1/2%—126 1/2%	128 1/2%—129 1/2%	141 1/2%—143 1/2%	149 1/2%—150 1/2%	149 1/2%—150 1/2%	145 1/2%—146 1/2%	152 1/2%—154 1/2%	149 1/2%—151 1/2%	137 1/2%—138 3/4%
12.	139 1/2%—140 1/2%	137 1/2%—138 1/2%	130 1/2%—131 1/2%	125 1/2%—126 1/2%	128 1/2%—129 1/2%	142 1/2%—145 1/2%	152 1/2%—153 1/2%	149 1/2%—150 1/2%	144 1/2%—145 1/2%	152 1/2%—154 1/2%	149 1/2%—151 1/2%	137 1/2%—138 3/4%
13.	137 1/2%—138 1/2%	137 1/2%—138 1/2%	130 1/2%—131 1/2%	125 1/2%—126 1/2%	128 1/2%—129 1/2%	145 1/2%—147 1/2%	152 1/2%—153 1/2%	149 1/2%—150 1/2%	144 1/2%—145 1/2%	152 1/2%—154 1/2%	149 1/2%—151 1/2%	137 1/2%—138 3/4%
14.	137 1/2%—138 1/2%	137 1/2%—138 1/2%	130 1/2%—131 1/2%	125 1/2%—126 1/2%	128 1/2%—129 1/2%	147 1/2%—149 1/2%	152 1/2%—153 1/2%	150 1/2%—152 1/2%	144 1/2%—145 1/2%	150 1/2%—152 1/2%	149 1/2%—151 1/2%	137 1/2%—138 3/4%
15.	139 1/2%—139 3/4%	137 1/2%—138 1/2%	129 1/2%—130 1/2%	125 1/2%—126 1/2%	129 1/2%—130 1/2%	154 1/2%—160	148 1/2%—149 1/2%	151 1/2%—152 1/2%	144 1/2%—145 1/2%	147 1/2%—148 1/2%	141 1/2%—143 1/2%	137 1/2%—138 3/4%
16.	139 1/2%—140 1/2%	137 1/2%—138 1/2%	129 1/2%—130 1/2%	125 1/2%—126 1/2%	129 1/2%—130 1/2%	S.	149 1/2%—151 3/4%	150 1/2%—151 3/4%	144 1/2%—145 1/2%	147 1/2%—148 1/2%	141 1/2%—143 1/2%	137 1/2%—138 3/4%
17.	138 1/2%—140 1/2%	136 3/4%—137 1/2%	127 1/2%—129 1/2%	126 3/4%—127 1/2%	129 1/2%—130 1/2%	155 1/2%—167 1/4%	149 1/2%—151 3/4%	150 1/2%—151 3/4%	144 1/2%—145 1/2%	147 1/2%—148 1/2%	140 1/2%—141 7/8%	136 3/4%—137 3/4%
18.	137 1/2%—138 3/4%	136 3/4%—137 1/2%	127 1/2%—129 1/2%	126 3/4%—127 1/2%	129 1/2%—130 1/2%	149 1/2%—154 1/4%	149 1/2%—150 1/2%	148 3/4%—151	145 1/2%—145 3/4%	148 1/2%—149 1/2%	141 1/2%—141 7/8%	136 3/4%—137 3/4%
19.	138 1/2%—139 1/2%	136 3/4%—137 1/2%	128 1/2%—129 1/2%	126 3/4%—127 1/2%	S.	151 7/8%—153 1/2%	149 1/2%—150 1/2%	S.	145 1/2%—145 3/4%	148 1/2%—149 1/2%	139 1/2%—141 1/2%	135 3/4%—136 3/4%
20.	S.	Holiday.	127 1/2%—128 1/2%	126 3/4%—127 1/2%	130 1/2%—131 1/2%	148 1/2%—149 1/2%	148 1/2%—150 1/2%	147 1/2%—149 1/2%	143 1/2%—144	145 1/2%—147	137 1/2%—138 3/4%	135 3/4%—136 3/4%
21.	138 3/4%—139 3/4%	136 3/4%—137 1/2%	127 1/2%—128 1/2%	126 3/4%—127 1/2%	130 1/2%—131 1/2%	148 1/2%—149 1/2%	148 1/2%—150 1/2%	147 1/2%—149 1/2%	143 1/2%—143 3/4%	145 1/2%—146 7/8%	137 1/2%—138 3/4%	135 3/4%—136 3/4%
22.	138 3/4%—139 3/4%	136 3/4%—137 1/2%	126 3/4%—128 1/2%	S.	130 1/2%—131 1/2%	151 1/2%—153 1/4%	150 3/8%—151 1/4%	149 3/8%—151	143 1/2%—143 3/4%	145 1/2%—146 7/8%	138 1/2%—139 1/2%	135 3/4%—136 3/4%
23.	138 3/4%—139 3/4%	135 3/4%—137	126 3/4%—128 1/2%	126 3/4%—126 7/8%	133 1/2%—138 7/8%	S.	150 3/8%—151 1/4%	149 3/8%—151	143 1/2%—143 3/4%	145 1/2%—146 7/8%	138 1/2%—139 1/2%	135 3/4%—136 3/4%
24.	139 1/2%—139 3/4%	135 3/4%—137	124 3/4%—126 3/4%	126 3/4%—127 1/2%	137 1/2%—139 3/4%	132	149 1/2%—150 1/2%	148 1/2%—149 1/2%	144 1/2%—144 3/4%	146 1/2%—148	138 1/2%—141 1/2%	135 3/4%—136 3/4%
25.	139 1/2%—139 3/4%	S.	S.	126 3/4%—127 1/2%	138 1/2%—139 3/4%	S.	149 1/2%—150 1/2%	146 7/8%—148	144 1/2%—144 3/4%	146 1/2%—148	138 1/2%—141 1/2%	135 3/4%—136 3/4%
26.	139 1/2%—139 3/4%	136 5/8%—137 1/2%	125 1/2%—126 1/2%	127 1/2%—128	138	154 1/2%—157	149 1/2%—150	S.	144 1/2%—145 1/2%	147	140 1/2%—144	131 1/2%—132 1/2%
27.	139 1/2%—139 3/4%	136 5/8%—137	126 1/2%—128 1/2%	125 3/4%—129 1/2%	S.	154 1/2%—156	149 1/2%—150 1/2%	148 1/2%—149 1/2%	144 1/2%—145 1/2%	145 1/2%—146 7/8%	140 1/2%—143 1/2%	132 1/2%—133 1/2%
28.	139 1/2%—139 3/4%	136	127 1/2%—128 1/2%	125 1/2%—129 1/2%	137 1/2%—137 3/4%	151 1/2%—154	150 1/2%—150 3/4%	148 1/2%—149 1/2%	144 1/2%—145 1/2%	145 1/2%—146 7/8%	140 1/2%—143 1/2%	132 1/2%—133 1/2%
29.	S.	.....	127 1/2%—128 1/2%	S.	137 3/8%—138 1/2%	153 1/2%—155	150 1/2%—150 3/4%	148 1/2%—148 3/4%	145 1/2%—146 1/2%	146 1/2%—148 1/2%	140 1/2%—141 1/2%	132 1/2%—133 1/2%
30.	139 1/2%—140 1/2%	G'd Friday.	127 1/2%—128 1/2%	125 7/8%—127 1/2%	138 1/2%—138 7/8%	152 1/2%—154	147 1/2%—148 1/2%	147 1/2%—148 1/2%	145 1/2%—146 1/2%	146 1/2%—148 1/2%	140 1/2%—141 1/2%	132 1/2%—133 1/2%
31.	139 1/2%—141 1/2%	.....	127 1/2%—128 1/2%	.....	138 3/4%—140 1/4%	.....	147 1/2%—148 1/2%	147 1/2%—148	.....	145 1/2%—146 5/8%	.....	133 1/2%—134
Month	136 3/4%—144 3/4%	135 3/4%—140 3/4%	124 1/2%—130 1/2%	125 1/2%—129 1/2%	125 1/2%—141 1/2%	137 1/2%—167 1/4%	147 1/2%—155 3/4%	146 1/2%—152 1/2%	143 1/2%—147 1/2%	145 1/2%—154 3/4%	137 1/2%—148 5/8%	131 1/2%—141 3/4%

STATEMENT EXHIBITING THE MONTHLY CHANGES FROM JANUARY 1, 1862, TO JANUARY 1, 1867.

	1862.	1863.	1864.	1865.	1866.
January.....	101 $\frac{3}{4}$ —103 $\frac{3}{4}$	153 $\frac{5}{8}$ —160 $\frac{3}{4}$	151 $\frac{1}{2}$ —159 $\frac{3}{4}$	197 $\frac{1}{4}$ —234 $\frac{3}{8}$	136 $\frac{3}{4}$ —144 $\frac{3}{4}$
February.....	102 $\frac{1}{2}$ —104 $\frac{3}{4}$	152 $\frac{1}{2}$ —172 $\frac{1}{2}$	157 $\frac{1}{2}$ —161	196 $\frac{3}{4}$ —216 $\frac{3}{4}$	145 $\frac{3}{4}$ —140 $\frac{3}{4}$
March.....	101 $\frac{1}{2}$ —102 $\frac{1}{2}$	139—171 $\frac{3}{4}$	159—169 $\frac{3}{4}$	148 $\frac{1}{2}$ —201	124 $\frac{7}{8}$ —136 $\frac{1}{2}$
April.....	101 $\frac{1}{2}$ —102 $\frac{1}{2}$	145 $\frac{1}{2}$ —157 $\frac{1}{2}$	166 $\frac{1}{2}$ —184 $\frac{1}{2}$	143 $\frac{1}{2}$ —154 $\frac{1}{2}$	125—129 $\frac{1}{2}$
May.....	102 $\frac{1}{2}$ —104 $\frac{3}{4}$	143 $\frac{1}{2}$ —154 $\frac{3}{4}$	163—190	128 $\frac{1}{2}$ —145 $\frac{1}{2}$	127 $\frac{5}{8}$ —141 $\frac{1}{2}$
June.....	103 $\frac{1}{2}$ —109 $\frac{1}{2}$	140 $\frac{1}{2}$ —148 $\frac{3}{4}$	193—250	135 $\frac{1}{2}$ —147 $\frac{5}{8}$	137 $\frac{1}{2}$ —167 $\frac{3}{4}$
July.....	108 $\frac{3}{4}$ —120 $\frac{1}{2}$	123 $\frac{1}{4}$ —145	222—285	138 $\frac{3}{4}$ —146 $\frac{3}{8}$	147—155 $\frac{1}{4}$
August.....					
September.....					
October.....					
November.....					
December.....					
Year.....					



The following statement shows the amount of treasure received at New York from California and foreign ports for each month of 1866, and also the export to foreign ports, with the monthly excess of supply or export; making the excess of export for the year exceed \$11,000,000.

MONTHS.	NEW SUPPLY.			Exports to Foreign ports.	EXCESS OF	
	California.	Foreign.	Total.		Supply.	Export.
January .....	\$1,485,314	\$72,771	\$1,558,087	\$2,706,336	\$.....	\$1,148,249
February .....	3,603,000	172,122	3,775,122	1,807,030	1,968,092	.....
March.....	3,958,201	285,854	4,244,145	1,045,939	3,199,106	.....
April.....	1,539,321	161,817	1,701,138	588,875	1,112,263	.....
May.....	3,992,148	393,073	4,385,221	23,744,194	.....	19,358,973
June.....	1,842,271	94,549	1,936,820	15,890,956	.....	13,954,136
July.....	6,754,669	345,961	7,100,630	5,821,459	1,278,171	.....
August .....	4,477,659	269,221	4,746,880	1,587,851	3,159,029	.....
September .....	2,884,432	5,193,473	8,077,905	834,550	7,243,355	.....
October.....	4,902,207	1,434,153	6,336,365	1,463,450	4,872,915	.....
November.....	1,669,391	802,937	2,472,328	3,766,090	.....	1,294,362
December.....	4,323,023	352,093	4,675,116	3,297,270	.....	1,377,846
January to December, 1866.	\$41,411,726	\$9,578,029	\$50,989,755	\$62,553,700	\$.....	\$11,563,945

FINE ARTS, UNITED STATES. The history of the Fine Arts in the United States during the year 1866 exhibits a steady progress toward a higher standard of excellence, and an activity in the acquisition of old works and the production of new ones, which contrasts significantly with the ignorance and indifference of former years. But with no lack of zeal to encourage native or foreign talent, American collectors cannot be said as yet to have shown that degree of taste or discrimination which is needed to lay broad and deep the foundations of a national school of art. The private galleries of our large cities already contain numerous specimens by European or native masters of repute, and are rapidly increasing in numbers and proportions; but, as is inevitable in a country imperfectly educated in art, the owners, in adding to their collections, are too often influenced by fashion, by caprice, or by a not very elevated spirit of rivalry, rather than by intuitive perception or true knowledge. So far was this the rule during the last two years, that ignorant persons, intent upon the acquisition of large collections of pictures, were frequently imposed upon by works which, though bearing the names of popular French, German, or Belgian artists, were evidently manufactured for a market, and would be pronounced forgeries by competent judges. In proportion as a higher culture is developed by study, observation, or the diffusion of sound canons of art, this species of imposition will prove less likely to succeed. Meanwhile, it is satisfactory to know that, along with much that must be designated merely as rubbish, there is in the country a sufficient number of works of merit to form the nucleus of a national collection, should such a thing be attempted. And when our art collectors begin to imitate the liberality of those of Europe, and throw open occasionally their galleries to public inspection, each chief city will probably be found to contain works adapted to the formation of a correct local taste. As regards the acquisition

of modern European works of art, it is worthy of mention that, with rare exceptions, the continental schools of painting seem to be in most esteem, and the productions of British artists are still practically ignored. The demand for pictures, or even for copies of pictures, by the "old masters," has almost ceased, which of itself may be considered an indication of increasing intelligence. The collectors who now willingly pay large sums for paintings by Rosa Bonheur, Frère, Meissonier, or Gérôme, are no longer capable of being deceived by the so-called Correggios, Titians, Rubenses, or Murillos, which once flooded the auction rooms. But while no little avidity is manifested, and considerable sums are paid for foreign pictures, to the disparagement in some respects of native painters, American sculptors retain the ascendancy early asserted by Greenough, Powers, and Crawford, and the plastic art of the old world is very inadequately represented in our art collections or national edifices of recent construction.—The city of New York has continued during the year to be the chief emporium for the disposal of works of art, and between January and May upward of \$400,000 were realized from auction sales, chiefly of imported pictures. This was a considerable advance over the sales of the previous season, though somewhat less than those of 1863-'64, when several unusually valuable collections were put upon the market, eliciting unprecedently high prices from purchasers. The first collection of importance offered for sale was that of the late John Hunter, comprising three hundred and seventy-three pictures, collected mostly between 1800 and 1835, and which realized a sum total of nearly \$30,000, or less than \$80 a picture. This low average was reached in spite of an array of names upon the catalogue which, if representing genuine works, should have given no slight stimulus to the bidding. The highest price obtained was \$1,250 for a picture by Watteau, entitled "The Swing." On March 8th and 9th a consignment of two hundred and



fifty oil and water-color paintings by contemporary European artists, besides a few by American painters, was disposed of for about \$35,000. The average price, \$140, was low in comparison with sales of previous years, a great falling off being noticeable in the competition for works by such popular artists as Frère, Brion, Plassan, Lambinet, Verboeckhoven, Koek-Koek, Meyer von Bremen, Bouguereau, Fichel, Merle, and Wappers. But four pictures fetched over \$1,000 each, including "Au Roi," by Willems, \$3,300, and "Twilight in the Wilderness," by F. E. Church, \$4,300. A water-color drawing by Doré, entitled "The Angels watching over Moses," and which was originally designed by him for the illustrated edition of the Bible, sold for \$300. This was probably the first production of this now celebrated artist ever offered for sale in the United States. A large picture by Baron Wappers, "Italia," brought only \$560, and "Diogenes," by Gérôme, \$590. The chief sale of the season occurred on March 15th and 16th, when a collection of one hundred and sixty-eight paintings, selected by Messrs. Gambart & Co., proprietors of the French gallery in London, and representing most of the favorite contemporary European artists, was sold for over \$100,000. Among the names on the catalogue were those of Ary Scheffer, Meissonier, E. Frère, Gérôme, and others, well known to American connoisseurs, the genuineness of whose works was amply vouched for; and the prices realized were fully up to the standard of 1864. The following are the pictures which sold for \$1,000 and upward:

Arab Hunting, by Schreyer.....	\$1,200
"Good Morning," by E. Frère.....	1,000
Sheep, by Verboeckhoven.....	1,750
The Distaff, by E. Frère.....	1,000
Looking after Lambs, by L'Schaygeurg....	1,250
Amalfi, by Herring.....	1,170
Taking Home the Bride, by Hodgson.....	1,100
Falcon Hunting, by Fromentin.....	1,100
The Jetty, Ostend, by A. Achenbach.....	3,000
Netherland Protestant Family, by Lies.....	1,250
Cardinal's Carriage, by Heilbuth.....	1,210
Landscape, with Cattle, by Voltz.....	1,050
The Sick Friend, by Fidemond.....	1,370
Horses Drinking, by Schreyer.....	1,630
The Convalescent, by Willems.....	3,000
The Lady of Fashion, by Willems.....	2,675
Children's Tea, by Plassan.....	1,050
The Breakfast, by E. Frère.....	2,950
The Introduction, by Ruiperez.....	1,950
Youth and Innocence, by Gérôme.....	2,650
Christ and the Three Marys, by Ary Scheffer.	2,950
Arrest of John Brown, by Eastman Johnson.	1,900

Meissonier's "Soldiers Playing at Cards" was put up at \$10,000, but withdrawn, as no bids were made.

On March 22d and 23d a large number of pictures by native and foreign artists, belonging to a private collection, was sold for \$30,000. Among the more notable works disposed of were: "Approaching Storm," by A. B. Durand, \$500; "Interior," by Koek-Koek, \$135; "Shorn Sheep," pencil study, by Rosa Bonheur, \$337; "Cosette," by Eastman Johnson, \$430;

"Autumn in the Adirondacks," by J. M. Hart, six inches by four, \$105; "Ryndall Falls," by Kensett, \$320; "The Artist's Studio," by Chavet, \$600; "Landscape and Cattle," by Troyon, \$900; "In the pool browsed the cattle," by James Hart, \$1,675; "The Sheepfold," by Robbe, \$1,010. At an auction sale, held on the 30th of March, a picture by Bierstadt, entitled "The North Branch of the Platte River," and which was painted in 1861, to order, for \$1,500, realized the large sum of \$7,000, and Church's "Volcano of Cotopaxi," \$1,125. Other sales took place in April and May, including a collection of ninety-six American pictures, which realized about \$12,000; but in the quality of the paintings and the prices obtained for them, there was nothing approaching the Gambart collection. One of the most successful sales of the season was that of the pictures painted by Mr. George H. Hall. This collection, which comprised seventy-five paintings, chiefly flower and fruit pieces, produced \$12,000—being an average of \$160 each. Many of these pictures were of small size—not more than three or four inches by five or six inches. During the summer and autumn of 1866 no additional auction sales of pictures were reported, and those occurring in December were too few in number to afford an indication of the probable activity of the art market in the spring of 1867. The annual sale of pictures contributed to the Artist's Fund Society took place on the 21st, and realized \$6,400, an average of over \$115 per picture. At the close of December a collection of less than a hundred pictures, consigned to Mr. J. P. Avery, sold for nearly \$20,000. "Thanatopsis," by Durand, brought \$1,350; and a "Lake Scene," by the same artist, \$1,400.

The first public exhibition of note in New York was that of the National Academy of Design, which, in 1866, entered upon its forty-first year. The number of pictures and drawings exhibited was five hundred and twelve, of which ninety-four were portraits, besides thirty pieces of sculpture, and the exhibitors numbered two hundred and seventy-five, of whom thirty-seven were females. More than three-fourths of these were residents of New York or its immediate vicinity, which shows the firm footing art has taken in that city. These figures, however, afford but an inadequate idea of the numbers or abilities of the artists who make their headquarters in New York, since the exhibition contained no works by Bierstadt, Inness, the two Harts, Mignot, Leutze, Page, Darley, Tait, Staigg, and others of note, and can scarcely be said to have been represented by Church, whose sole contribution was a slight and not very satisfactory sketch in oil. The most prominent exhibitors of landscapes, which, as usual, formed the better part of the collection, both in numbers and merit, were Kensett, Gifford, Cropsey, Gignoux, Durand, Whittredge, Colman, McEntee, and Griswold; and of portraits or figure pieces, Huntington, Eastman Johnson, Gray,



White, Homer, J. F. Weir, Vedder, Hays, Ehninger, May, Hennessy, Elliott, Hicks, Baker, and Stone. Among the noticeable works were "The Gun Foundry," by Weir; "Lear and Cordelia," by May; "Prisoners from the Front," by Homer; "Mount Blanc," by Gignoux; "Sunday Morning," by Eastman Johnson; portraits of Abraham Lincoln and Gulian C. Verplanck, by Huntington; portraits of a lady and her child, by William M. Hunt, of Newport, R. I.; "Flight of the Birds," by McEntee; "Drifting," by Hennessy; and "Gathering of the Herds," by Hays. The exhibition was fully up to the ordinary standard, but can hardly be said to have shown an improvement upon former years, a result inseparable from the practice, which is becoming prevalent among artists, of withholding their best works from public view, and, in some prominent cases, of not contributing at all to the annual exhibitions of the academy. With respect to pictures of *genre*, however, it may be observed generally, that they are gradually encroaching upon the space so long monopolized by landscapes, and are likely soon to become a recognized department of American art. The Academy of Design now consists of eighty members and seventy-eight associates, besides nearly eight hundred members of the fellowship grade established in 1863, and offers excellent opportunities to those wishing to become students of art. The antique school is open day and evening during five days of the week, and the life school three evenings of the week. The former is accessible to all who have mastered the rudimentary elements of drawing, and are able to draw "from the round," and the latter to those students who have proved themselves qualified to profit by study from life. The applications for admission to either school are less than would be supposed, in view of the advantages offered, and during a great part of the year the average attendance of students did not exceed thirty a day. Early in March an exhibition of etchings by the French Etching Club, together with a number of oil paintings, was opened under the auspices of Messrs. Cadart and Laquet, of Paris. The etchings were of no great merit, but the paintings represented a school of French artists, comprising such men as Corot, Ribot, Courbet, Doré, Lambron, Daubigny, and Nazon, comparatively unknown in America, who to strong naturalism add an independent and even wilful and capricious spirit, and are careless of mechanical execution, so that their purpose is sufficiently indicated on the canvas. The most remarkable work in the collection was "The Mountebanks," by Doré, a group of almost fascinating power, in spite of its negative coloring, and the general repulsiveness of the subject. It is one of the artist's earliest productions, painted in his twentieth year. The seventh annual exhibition of the Artists' Fund Society was held at the Academy of Design in November and December, and was one of the most interesting and instructive ever opened in New York. It was specially strong

in the department of water-color pictures, and afforded to most of the visitors their first opportunity to see authenticated and characteristic specimens by such noted English artists as Turner, Prout, Cox, Nash, Rossetti, Copley Fielding, Stanfield, Birket Foster, Richardson, and Absolon. Rossetti, whose works are rarely seen in public, even in England, was represented by two pieces, "Dante meeting Beatrice," and "Before the Battle," and Turner by a small view of "Castle Hill in Edinburgh, and Scott's House." The collection also contained portraits by some of the early American painters in this department, as Trumbull, Copley, Stuart, and Sully, one of Allston's most celebrated works, "Spalatro; or, the Vision of the Bloody Hand," and specimens by Cole and Professor S. F. B. Morse. English painters in oils were represented by Gainsborough, Eastlake, Stanfield, Linton, and Whistler, the last named a highly original artist, of American extraction, whose contribution, a "View on the Thames," though less remarkable for power of color than some of his more recent productions, was full of force, and truth, and character. Among noticeable works by contemporary American painters, were portraits of Laboulaye and Gasparin, painted by May for the Union League Club of New York, "Columbus before the Council of Salamanca," by Theodore Kaufmann, and "American Slave Market," by T. S. Noble. The fifth annual exhibition of French, English, and Flemish paintings was opened in December. It comprised over a hundred original works, none of which could be called poor, and some of which were of great value and importance. The Continental Schools were, on the whole, the best represented, and the specimens by Gérôme, Meissonier, E. Frère, Duverger, Rosa Bonheur, Alma-Tadema, and other distinguished painters, were well selected and characteristic of the schools from which they emanated. The most striking picture in the collection was Gérôme's "King Candaules," familiar to many by the fine steel engraving of it recently published. The influence of exhibitions of this kind in forming the public taste, as well as in affording an incentive to American artists, can hardly be over estimated. They lack, however, the element of permanence. Such a thing as a large public gallery of works of art, corresponding in plan, if not in scale, with those of the great European cities, to remain open during the greater part of the year, has not yet been established in New York. The nearest approach to it is to be found in the museum and gallery of art of the Historical Society, which, besides the fine collection of Egyptian antiquities, made by Dr. Abbott, and the Lenox collection of Nineveh sculptures, contains nearly five hundred pictures belonging to the New York Gallery of Fine Arts, and the Bryan Gallery of Christian Art, and some fine sculptures. Among the modern pictures are twelve by Cole, including his "Course of Empire," works by Gilbert Stuart, Copley, Jar-



vis, Vanderlyn, West, Romney, Durand, Huntington, Morse, Chapman, Gignoux, Page, and others, and the original drawings, nearly five hundred in number, made by Audubon for his "Birds of America." The sculptures comprise the "Indian," the "Hunter Boy," "Adam and Eve," "Boy playing at Marbles," and the "Peri," by Crawford, two pieces by H. K. Brown, and upward of fifty busts in marble, among which are works by Canova, Chantrey, Clevenger, Palmer, and Brown. This would undoubtedly form the nucleus of a public collection worthy of the city, and which would have the merit of being to a considerable extent the production of native artists. But owing to the fact that the Historical Society has to be supported chiefly by its annual receipts from members, who have the privilege of access to its museum and gallery, it has not been considered expedient or practicable to open its doors gratuitously to the public. Hence the existence of such a collection of works of art as it possesses is almost unknown. Various plans have been proposed with reference to making these art treasures accessible to the general public, and the society itself has had in contemplation the erection of an edifice in the Central Park, of sufficient capacity to contain its very large and rapidly-increasing library, museum, and historical matter, for the proper arrangement and exhibition of which the present building is wholly inadequate; but inability to raise by subscription the necessary means, has delayed, if not prevented, the design from being carried out. As there is no reasonable prospect of so large and costly an edifice being built for several years to come, and as it is questionable whether that location would not be too remote to be of easy access to citizens and strangers, it has been suggested that the society should erect an addition to its present building, so arranged as to exhibit the modern and ancient paintings and sculptures in separate apartments. The public would then have a permanent and attractive gallery of art, to which, doubtless, valuable additions would from time to time be made. This plan would be more practicable and in the end more economical than to depend upon works temporarily loaned by artists or private collectors; but its adoption is at present purely matter of conjecture.—Exhibitions of single works or groups of works by individual artists have occasionally occurred during the year, and the chief art agencies and the establishments of prominent picture-dealers have generally contained collections of pictures of greater or less merit, open to public inspection. Among single pictures exhibited may be mentioned Bradford's "Crushed by Icebergs," an Arctic scene of great truth and dramatic power; Kellogg's "After the Bath," representing a young Eastern princess asleep on a divan, after performing her ablutions; and a large landscape by Inness, entitled "Peace and Plenty," which is undoubtedly

one of the highest efforts of a painter ranking second to no other in his peculiar walk. Another class of pictures thus exhibited illustrated subjects growing out of the late war. Such were Page's "Farragut Triumphant," a portrait piece representing Admiral Farragut lashed to the shrouds of the Hartford in the passage of the forts guarding Mobile Bay, August 5, 1864; Balling's "Heroes of the Republic," a group of twenty-seven Union generals on horseback; and Fobes's "Behind the Breastwork." Three pictures were also exhibited by Keys, illustrating the bombardment of Fort Sumter, and painted with great truth of detail. Other works by New York artists, illustrating the war, are still in progress, including a picture by De Haas, the marine painter, commemorative of the running of the rebel batteries below New Orleans in April, 1862, by Admiral Farragut, and a large composition by Page, representing Lee's surrender to Grant, at Appomattox Court-house. Of works in progress, not growing out of the war, may be mentioned one by Leutze, representing Mary Queen of Scots going for the first time to mass at Holyrood; and a large allegorical picture by Inness, to be called the "Principle of the Cross," in which the artist attempts to represent the Apocalyptic vision of the New Jerusalem and the River of Life flowing from it for the healing of the nations. It is said to combine deep religious sentiment with elaborate effects of landscape and architecture, and is to be engraved. In the latter part of 1866 the collection of pictures, one hundred and thirty in number, belonging to William P. Wright, of Weehawken, N. J., was purchased by H. W. Derby, founder of the Derby Gallery in New York, for the sum of \$150,000, with a view of exhibiting it in that city. It comprises the well-known "Horse Fair," by Rosa Bonheur; "The Last Honors paid to Counts Egmont and Horn," by Gallait; "The Little Housekeeper," by E. Frère, and many other works by European and American artists of reputation.—The subject of the proper representation of American art at the great Exposition at Paris in 1867, early occupied the attention of those interested in showing to the old world what had been accomplished in this respect by the new. But in view of the limited space allotted in the exhibition building to the fine arts of the United States, the prominent artists of New York, at a meeting convened in February, 1866, unanimously resolved not to participate in the exhibition. This action seems, however, not to have been conclusive, for in the latter part of the year we find a committee of judicious persons actively employed in selecting pictures for the American department of the exhibition, with the assistance of Mr. S. P. Avery, well known in New York as a connoisseur and art agent. This committee has obtained the loan of what are considered the master-pieces of our prominent artists, and there is every prospect that Amer-



icans visiting Paris will be spared the mortification of seeing the art-genius of their country represented by men whose love of notoriety far outstrips their talent. The whole number of works of art chosen is about ninety, by about fifty different artists—the most distinguished having more than one work. The paintings, on the average, are of large size, and their insured value is about one hundred and fifty thousand dollars.—One of the most interesting art-exhibitions of the year in New York was that of the photographic collection of war views and portraits of representative men made by M. B. Brady. The war views, taken on the spot by Mr. Brady and his assistants during the progress of hostilities, illustrated almost every phase of the great struggle, from the first battle to the final surrender of Lee and Johnston, and were not only of great value as correct delineations of scenes and incidents, but illustrated the surprising progress which photography has made during the last two years. The importance of such representations to the future painter of history can scarcely be overestimated, and in view of the fact that many of the prominent personages who figure in them are dead, that the *matériel* from which they are made has, for the most part, ceased to exist, and that the scenes themselves have put on quite another appearance, it has been suggested that they should be preserved as a national historic collection, and placed in the keeping of the New York Historical Society. The latter project was recommended by the Council of the National Academy of Design at a meeting held in January. Although America has never claimed any special preëminence in line engraving, a branch of art believed by many to be in its decline, at least two works in this department have been produced within the past year, by American artists, which are not unworthy to be compared with average European engravings. They are both likenesses of President Lincoln, the one executed by W. E. Marshall, after a portrait painted by himself, and the other by Halpin, after Carpenter's well-known likeness, and both have been commended for fidelity to truth and excellent execution. Though equally good as likenesses they present distinct phases of expression, easily recognizable by those familiar with Mr. Lincoln's physiognomy. A steel plate representing the "Death of President Lincoln," in progress of execution by Richie, was accidentally destroyed by fire in April. In the same conflagration perished reduced copies of Carpenter's "First Reading of the Emancipation Proclamation before the Cabinet," and Huntington's "Republican Court," but the partially finished plates from these, also by Richie, were saved, and the latter was at the close of the year nearly ready for printing. Some attention has recently been given to chromo-lithography, principally in the production of game, fruit, and flower pieces, which have the merit of tolerably exact external resemblance, but fail, as do most works produced by this process, to show the in-

dividual mind of the artist. A copy in colors of Eastman Johnson's "Old Kentucky Home," may be considered an average specimen of what American art has produced in this department.

The activity of New York in matters pertaining to art cannot be said to have been manifested on any thing like a corresponding scale in other American cities. Boston, although the residence of a considerable number of artists, and the seat of much æsthetic culture, has no permanent academy like New York or Philadelphia, and until quite recently has been disposed to subordinate the art element to the literary element in her social life. Of late years several private collections have been commenced, which promise in time to become large and valuable; but their chief works are of foreign production, and the efforts of local artists are represented to be under European influences. Of valuable indigenous work few examples have yet been afforded, and the resident artists most esteemed and encouraged, as Hunt, La Farge, Vedder, or Furness, are not natives of the city or its neighborhood. The reputation of those of New England origin or education is for the most part local. The only approach to a permanent collection of works of art is to be found in the galleries of pictures and statuary annually opened for exhibition by the Boston Athenæum. This institution possesses works of more or less value, by West, Stuart, Trumbull, Allston, Rembrandt, Peale, Inman, Cole, Harding, Sully, Doughty, and others of the older American painters, and by the aid of loans of pictures from private collections is enabled to offer a miscellaneous but interesting exhibition every spring and summer. A characteristic feature of these annual exhibitions is the large number of finished and unfinished pictures, sketches, and studies, by Allston, on view. The sculptures belonging to the Athenæum comprise original works by Powers, Crawford, Clevenger, Greenough, Hughes, and others, and a number of casts from the antique. Exhibitions of a more transient character than this, but more interesting, perhaps, from containing a larger infusion of works by contemporary painters, were held from time to time during the year by the "Boston Art Club," and the "Allston Club," the latter of which was organized in March under the presidency of W. M. Hunt, and in April opened to public view a collection of about one hundred choice pictures. Among these were Courbet's "La Curée," landscapes by Troyon, Rousseau, Daubigny, and Lambinet, "The Sower," by Millet, and works by Rosa Bonheur, Corot, Plassan, Fichel, Couture, Gérôme, Delacroix, and other European masters, mostly borrowed from private galleries. American art was represented chiefly by Hunt, Gay, Bicknell, Furness, Robinson, Vedder, La Farge, and Ames, residents of Boston or its vicinity. A local journal, referring to the generally-received opinion that the literary atmosphere of Boston is unfavorable to art culture, expressed the hope that the opening of this Exhibition would mark the com-



mencement of a new era in that city. In April the collection of French paintings and etchings, exhibited in New York under the direction of Messrs. Cadart and Luquet of Paris, was transferred to Boston, and attracted considerable attention. Apart from these exhibitions of collected works, the establishments of the picture dealers afforded many opportunities of seeing works of merit, and some single pictures were exhibited, including "The Rescue," by De Haas, Bradford's "Crushed by Icebergs," Bierstadt's "Storm in the Rocky Mountains," and a picture entitled "The Home of the Bees," which is described as a marvel of botanical exactness, but too mechanical in the execution to be considered a work of art. Chester Harding, the portrait painter, whose career has been chiefly identified with Boston, died in that city on April 1st. His last work, an unfinished portrait of Gen. W. T. Sherman, was exhibited a few weeks previous.

The foundations of a school of art in New Haven were many years ago laid by the purchase by Yale College of the paintings known as the Trumbull Gallery, for the reception of which a Gothic building, designed by P. B. Wight, the architect of the New York Academy of Design, was commenced in 1864. At the close of 1866 it was so far completed as to be ready for the reception of the works destined to be placed in it, and which, besides the pictures by Col. Trumbull, comprise a number of portraits and other paintings belonging to the college. To these art treasures an important addition has been made by Professor S. F. B. Morse, a graduate of Yale, who has presented to the college Allston's "Jeremiah," long in the possession of the Gibbs family of Newport, R. I., and purchased by him in New York for the sum of \$7,000.

The chief interest in art matters in Philadelphia centres around the exhibitions of the Academy of Fine Arts, founded in the early part of the present century. The exhibitions of 1866 opened on April 23d, and it is an encouraging proof of the progress of art in Philadelphia, that the Academy building is declared to be inadequate to contain the pictures annually sent to it. It has been suggested also that the infusion of more enterprise into the management of the institution is needed to make it subserve the development of art culture, in accordance with the ideas of its founders. Notwithstanding the absence of works by several prominent local artists, the contributions in 1866 were up to the average standard, and included pieces by Sully, Rothermel, Hamilton, the late John Neagle, Russell Smith and Xanthus Smith, Moran, and Richards. James Hamilton, whose reputation is still for the most part local, is pronounced by Philadelphia critics one of the first marine painters living. Three pictures by him, representing scenes at Niagara Falls, one of which was entitled "Niagara on a stormy day in Autumn," were exhibited in May, in company with Bierstadt's "Yo Semite Valley," and elicited

high praise for the vividness and spirituality with which they depicted the force and grandeur of the great cataract. As in New York and Boston, the general public found many opportunities for art instruction in the galleries and warerooms of the picture dealers. The task of painting a picture of the battle of Gettysburg, on the wall of the new extension to the Capitol at Harrisburg, has been assigned to Rothermel, who probably ranks first among the historical painters of Pennsylvania. The picture is to be on a very large scale, with a supplementary border, in the compartments of which characteristic incidents will be introduced, and the sum appropriated to the artist amounts to \$25,000.

Outside of the localities above specified there is little connected with the history of the fine arts in the United States in 1866 which is worthy of mention. Baltimore, Cincinnati, Chicago, St. Louis, and other large cities, cannot be regarded in any sense as art capitals, or centres, although in all of them men of wealth and intelligence are engaged in forming galleries of pictures or statuary, the influence of which, after another quarter of a century has elapsed, will show itself in an improved public taste. A notable illustration of the zeal animating citizens of the West, in the pursuit and encouragement of the fine arts, was afforded by the collection of over three hundred paintings, including works by Church, Bierstadt, Gignoux, Cropsey, Hart, Eastman Johnson, Inness, Leutze, and many others, belonging to Mr. U. H. Crosby of Chicago, which early in 1867 was distributed by public lottery. The western cities at present are the receptacles, rather than the disseminators or creators of works of art, and in that regard may be said to occupy the relation of provincial towns to New York. The latter, as the metropolis of America, attracts to herself the chief art talent of the country, every year witnessing an increase in the number of her resident artists; and there seems no reason to doubt that for many years to come this supremacy will be maintained as firmly as London and Paris maintain their supremacy over the provincial cities of England or France.

In the department of plastic art, and particularly that branch of it which relates to public monuments, a more than customary activity was manifested in the United States during the past year. Not only is the body of American sculptors, so honorably known both at home and abroad, gaining yearly in numbers and reputation, but it has responded willingly and even enthusiastically to the demands, coming from various parts of the country, for memorials of our recent great struggle and of the prominent actors in it. In comparison with the apathy of former years this eagerness to perpetuate the history of an eventful era, by the aid of one of the most enduring forms of art, is somewhat remarkable, and ought, in one respect at least, to absolve Americans from the



charge of neglect of æsthetic culture so frequently brought against them. It would be too much to expect that any considerable number of the many public statues, monuments, or other forms of memorial or purely ornamental art, recently completed or still in progress, should stand the test of severe criticism, but the desire to possess them indicates an increasing interest in art in the abstract, which in time may ripen into enlightened discernment, and which will induce the critic to overlook their shortcomings. It is worthy of mention also, that within the last few years sculpture in America has sought, more than painting, to identify itself with popular impulses, to symbolize thought and feeling, and to illustrate the active life of the nation. It has, in a measure, become the exponent of our recent history, while painting has been but slightly influenced by the ideas of patriotism, devotion, or unity, which the civil war evolved. Whether this tendency is destined to be of a merely temporary character, or whether it will develop a national school of sculpture, it would be premature to inquire; but that it will produce a healthy reaction against the pseudo-classicism, and the academic conventionalisms which have so long controlled the practice of the art, can scarcely be doubted. It is safe to assert that the influences which could induce a sculptor to model the figure of Washington in the costume of a Roman senator will have little weight with the men who are to produce the statues of our present generation of great men.—The city of New York, which has gained an honorable preëminence as the chief seat of painting in the United States, is less distinguished for its encouragement of plastic art. But a single statue, that of Washington, by H. K. Brown, as yet adorns its streets or squares, and to this solitary specimen no addition seems at present likely to be made. In the embellishment, however, of the Central Park, which is destined at no very remote day to become the field for the display of signal artistic triumphs, something has been done, and much is promised to be done, which will help to compensate for the poverty of the rest of the city in public monuments. The building within this enclosure, formerly used as an arsenal, has recently been appropriated for the reception of gifts of statuary or other works of art, and will doubtless in time assume the proportions of a museum. At present it contains an invaluable collection of eighty-seven casts in plaster of works by Crawford, presented by his widow. Among these are thirty-five statues, including his Orpheus, America, Patrick Henry, Jefferson, and Beethoven, and twenty-two bas-reliefs. The remaining casts are designated as sketches. In addition to these the Park possesses a statue of Flora, in marble, by Crawford; statues, in bronze, of Eve and Commerce, a colossal bust of Schiller, and some small groups in bronze. The bronze cast of Ward's "Indian Hunter," destined for the Park, will be sent to the French Exposition of 1867 for exhibition

before being set up in its final resting-place, and the Shakespeare monument has advanced no further than the foundation, laid some years ago. The gateways for the four southern entrances to the Park, for which Mr. R. M. Hunt, an architect of New York, furnished the plans in the summer of 1863, have never even been commenced. The Park Commissioners, after determining in 1864 to proceed forthwith with the work, decided in the spring of 1865 to take no further action in the matter. In preparing his designs, Mr. Hunt aimed to make the gateways correspond in magnitude and in their general architectural character with the buildings which will hereafter line this portion of the Park. Hence he drew freely upon the resources of monumental art, and employed sculpture and symbolical decoration on a scale seldom attempted in this country. It is understood that the rejection of his plans is based partly on their presumed inconsistency with the fundamental idea embodied in the laying out of the Park, and partly on the great additional expense they will probably entail. An interesting exhibition of statuary, by Larkin G. Mead, Jr., of Vermont, was opened in New York in the beginning of May. It comprised four statues, "Echo," "The Mulatto Girl," "The Battle Story," and "La Contadinella," a statuette of "Sappho meditating the Plunge," several busts, and a plaster model of the national monument to President Lincoln, fifteen feet high, of which a description will be found elsewhere. "The Battle Story" is a group consisting of a returned soldier, holding on his knee a little girl, to whom he relates the story of some hard-fought field. A copy of this, of a size half larger than life, is to be placed on the grounds connected with "Fitch's Home for Disabled Soldiers and Orphans of Soldiers who have Lost their Lives in Defence of the Country," at Darien, Conn. In October and November an exhibition was held of some of Mozier's chief works, including "The Return of the Prodigal Son," "Undine Rising from the Castle Well," and "Jephthah's Daughter." Among the productions of the year may be mentioned three new groups by Rogers, whose genius so happily illustrated characteristic scenes of the civil war. They were entitled "Drawing Rations," "Uncle Ned's School," and "The Charity Patient," and showed no lack of the earnest naturalism manifested by the artist in previous works. A new worker in the same field has appeared in the person of Samuel Conkey, whose statuette, "In the Wilderness," is founded on an incident of the battle-field of the Wilderness. Among new sculptures received from Europe was a figure of Isaac about to be offered up for sacrifice, by Randolph Rogers, besides busts of Washington and Franklin, by Powers, and a statue of Bacchus, by Miss Stebbins. Ideal busts of Mephistopheles, Imogen, and Childhood, of considerable promise, by Thomas Gould, a young sculptor of Boston, whose portrait bust



of Ralph Waldo Emerson has been placed in the library of Harvard University, were exhibited in December. In the spring of 1865 a considerable sum was raised in New York toward the erection of a monument to President Lincoln, but nothing seems to have been done in furtherance of the work.—In the erection of statues and monuments commemorative of the late war, or of eminent public men or events, Boston is considerably in advance of New York or any other American city; and, although the bronze statues of Franklin, Webster, and Horace Mann, which have hitherto constituted her chief public memorials in sculpture, possess no special merit, it is believed that the works of this class by Story, Ball, and others, now in progress, will fitly represent American art. Story is now engaged upon two important works, an equestrian statue of Colonel Shaw, commander of the first Massachusetts colored regiment, who lost his life at the assault of Fort Wagner, and a statue of Edward Everett, the clay model of which has recently been completed. The former is to be placed in the State-House yard, and the latter on Boston Common. The colossal equestrian statue of Washington, by Ball, also destined for the public grounds of the city, is hastening to completion. The same sculptor has produced at Florence, within the past year, a group, consisting of a portrait statue of President Lincoln, and the figure of a kneeling negro, intended to commemorate the overthrow of slavery in America. In November the Common Council of Boston accepted a plan offered by Hammatt Billings for a monument to the soldiers of the city who lost their lives in the war. It contemplates a column of Concord granite, rising from an elaborate base, to the height of 120 feet, and surmounted by a figure of Liberty, and the compartments of the base, four in number, are to contain bas-reliefs representing scenes on the battle-field and the fruits of peace. Ground was broken on Boston Common, preparatory to laying the foundations of the monument early in January, 1867, but the whole project seems subsequently to have miscarried, in consequence mainly of the inadequacy of the sum appropriated, and of the unwillingness of the authorities to increase the appropriation. Another monument, suggested by the war, is to be erected in some public place in Boston by the surviving officers and soldiers of the Second Massachusetts infantry regiment, in honor of their comrades who perished in the struggle. The design and material have not yet been decided upon. To the munificence of one of her citizens, Thomas Lee, the city will also be indebted for a monument, now in course of erection, commemorating the discovery of ether, and which is to be placed in the Public Garden. The design is by Mr. Van Brunt, an architect of Boston, and a pupil of Hunt of New York, and a prominent feature of it will be a group illustrating the parable of the Good Samaritan, by J. Q. A. Ward, of New York, which is described as a masterpiece of sculpture. In

Commonwealth Avenue, adjoining the Public Garden, has recently been placed a granite statue of Alexander Hamilton, by Dr. Rimmer, erected also at the expense of Mr. Lee. In connection with memorial structures relating to the civil war may be mentioned the building about to be constructed at Cambridge, from the designs of Messrs. Van Brunt & Gambrill, which combines, with an alumni hall for Harvard University, and a theatre for commencement exercises, a cloister, of a monumental character externally, which is intended for the reception of busts, statues, pictures, windows, or tablets, commemorating the services of Harvard students in the war. The architecture is of the Italian-Gothic type, and the general effect of the building is imposing. The work on the monument at Plymouth, Mass., commemorative of the landing of the Pilgrims, which was commenced in 1859, and, subsequently suspended for several years, in consequence of the war, has recently been renewed by the aid of additional subscriptions, and, it is supposed, will be brought to a completion in the summer of 1867.—The only memorial to President Lincoln, at present contemplated in Washington, is a full-length, life-size statue of him, to be placed in the capitol. An appropriation of \$10,000 for this object was made by Congress, and the commission was given to Miss Vinnie Ream, a young sculptress from the West, almost wholly unknown in the art world, and whose previous productions are said to comprise only a few busts. Another female artist, Mrs. Ames, of Boston, has finished a bust of Mr. Lincoln, highly commended as a faithful representation of him, which is to occupy a niche in the Senate chamber in the national capitol. The chamber in this building, which was occupied, before the enlargement, by the House of Representatives, has been appropriated to the reception of works of art, illustrating national history, contributed by the States. Few of the latter have as yet sent contributions to this collection. Among those which have taken the initiative, are Massachusetts and Vermont. The former has ordered for the purpose statues of Governor Winthrop, John Adams, and William Lloyd Garrison, illustrating respectively the colonial period, the revolutionary era, and the era of emancipation. The latter will contribute statues of Ethan Allen and the late Senator Collamer.—Of elaborate and costly public memorials to President Lincoln, two at least have been projected, which, when completed, will prove valuable additions to the monumental art of the country. The one is to be erected over his remains at Oak Ridge Cemetery in Springfield, Illinois; the site of the other has not yet been determined. The former, designed by Larkin G. Mead, jr., may be thus described: From a paved circular walk rises by seven steps a circular platform, forty-five feet in diameter, on which rests an octagon base, twelve feet high. From four alternate corners of the octagon base project four pedestals, upon which are as many



groups of statuary, representing the four different orders of the army and navy—infantry, cavalry, artillery, and marine. Between the group, set in the four alternate faces of the octagon, are four basso-relievos, two of which will represent incidents in the early life of Mr. Lincoln, and two portray his greatest achievements in matters of State, as President of the United States. Upon the pedestal of each group is a large tablet upon which to record heroic deeds and points of history during the administration of Mr. Lincoln. It is also proposed to place pedestals on the upper circle formed by the steps, upon which will stand a drummer boy, bugle boy, sailor boy, and flag boy of the engineer corps. Rising out of the octagon base is a Corinthian column, fifty feet in height, surmounted by a colossal figure of Mr. Lincoln, twelve feet in height, represented in his customary costume in the act of signing the Emancipation Proclamation. The architectural part of the monument is to be of granite, and the statuary of bronze. The figures of the four groups of men will be seven and a half feet in height, and those of the boys six feet in height. The other monument, of which the model, prepared in Italy by Miss Hosmer, arrived in America early in December, was originally intended as a memorial of the freedmen to the late President. A considerable sum has already been contributed by them toward the work, but, in view of the great expense which it will entail, there seems little probability that ground will be broken for some years to come, and it is possible that a portion of the funds may be supplied from other sources. In designing this monument to Mr. Lincoln, Miss Hosmer states that she endeavored "to express the idea that the Temple of Fame which we rear to his memory is based upon the two great acts of his administration, viz., the Emancipation of the Slave and the Preservation of the American Union." The four sides of the lower base, sixty feet square, will contain bas-reliefs, representing scenes in Mr. Lincoln's life from his early childhood until his death. The following is Miss Hosmer's description of the remaining part of the monument, which is to be composed of New England granite and bronze:

Upon the circular columns which enclose these bas-reliefs, and crowning the first base of the temple, are placed four statues, representing the condition of the negro as it actually existed at different periods of the President's four years of office: First, as exposed in chains for sale; second, upon the plantation; third, as guide and assistant to our troops; and fourth, as a soldier and a freeman. Above these columns rises an octagonal base, four sides of which contain the inscription:

ABRAHAM LINCOLN,  
MARTYR-PRESIDENT OF THE UNITED STATES,  
Emancipator of Four Millions of Men,  
Preserver of the American Union.

Upon this rests a circular base, forming the immediate base of the temple, upon which is represented a bas-relief composed of thirty-six female figures, hand in hand, symbolical of the union of the thirty-six States. Upon this rise the four columns of the

temple, supporting a cornice, upon which are inscribed the concluding words of the Emancipation Proclamation: "And upon this, sincerely believed to be an act of justice, I invoke the considerate judgment of mankind and the gracious favor of Almighty God."

Within the temple a statue of the dead President rests upon a sarcophagus, and the four mourning Victories, with trumpets reversed, which guard and surround the whole, record the great sorrow of the nation, stricken down at the moment of proclaiming its triumphs.

Another public monument, which has been some time in progress, is that in memory of Stephen A. Douglas, at Chicago. It consists of a sepulchre, enclosing a sarcophagus and surmounted by a pedestal twenty-one feet in height, having a base fifteen feet square. On this will be erected a column forty-three feet in length, six feet square at the base, and three and a half feet square at the top. The column will be terminated by a cap six feet high, which forms the base for the colossal statue of Douglas. Surrounding the sepulchre will be placed four seated symbolical figures, life size, sculptured in light marble, representing Illinois, America, History, and Fame. Over the entrance to the sepulchre will stand an eagle, and on the base of the pedestal above will be placed four bas-reliefs, representing the history and progress of the West.—To the list of monuments illustrating the war, must be added that about to be erected by the State of Rhode Island, from the designs of John Jackson, a Maine sculptor, residing in Italy. It is to be forty feet high, having four allegorical figures representing Liberty, Justice, Valor, and Fidelity, surmounted by a symbolical figure of Rhode Island, twelve feet in height, holding in one hand a wreath, and resting the other upon the shield of the State. It is proposed to construct the stone work of a pinkish granite, susceptible of a high polish, which is found in Rhode Island, and the figures and ornamental work of bronze. The cost will be \$50,000.—A portrait bust of President Lincoln, by Colonel Henry, a sculptor of Kentucky, which has been much commended as a likeness, was received in Louisville at the close of the year, and has been placed in the United States Court-room in that city. Another likeness of Mr. Lincoln, well spoken of, is in the form of a statuette, by Franklin Simmons, of Providence, R. I., which has been put in bronze by William Miller, of the same city. The latter artist is well known by a series of medallion heads in bronze, of eminent civilians and soldiers. Finally, to the large number of American sculptors practising their art in Italy, we may add the name of Edmonia Lewis, a young woman of mixed negro and Indian parentage, and a native of Ohio, who, besides a portrait bust of Colonel Shaw, of the first Massachusetts colored regiment, has designed a group, entitled "The Freedwoman on first hearing of her Liberty." It is to be executed as a private commission, and is said to tell "with much eloquence a painful story."



GREAT BRITAIN.—The activity which the art market of London usually exhibits in the spring and summer was fully sustained in 1866, although in the character and quality of the works offered for sale, and in the prices which they realized, the year cannot be said to have shown such striking results as its predecessor. In 1865 purchasers seemed to put no bounds to their desire to possess works by artists whom merit, or popular caprice, had brought into prominence. In the succeeding year, prices returned to a scale more in accordance with the actual value of the works disposed of, although they still remained relatively high. The productions most in demand are still those of the modern British school, and particularly of that branch of it which has flourished within the last quarter of a century. The painters who were famous in the latter part of the last century and the beginning of the present are, with some notable exceptions, gradually falling into disrepute, while for good average works by Turner, Ward, Webster, Stanfield, Roberts, or Landseer, from five hundred to two thousand guineas are often obtained. The Continental schools are apparently less known or appreciated than in the United States, notwithstanding their principal seats lie almost at the door of London; and probably as many pictures by French, Belgian, or German painters are annually sold at auction, in New York alone, as in all England. On the other hand, British art is almost unknown on the Continent, and until within a few years it was unsuspected there that such a thing as a national and original school of painting flourished in England. The passion for collecting works by the old masters, and more particularly those of the Flemish and Dutch schools of the sixteenth and seventeenth centuries, for which English connoisseurs were once noted, has very considerably declined, although well-authenticated pictures of this class, in good condition, still command high prices. But where from one thousand to six thousand guineas were once given for such works, probably less than the first-named sum would now be obtained. The auction sales commenced in March, and continued well into July. In April, many fine water-color drawings by W. Hunt, Cox, Roberts, and other popular artists were disposed of at prices far below what their works had obtained in previous years. A collection of twenty sketches by John Leech, brought only £6 15s., and thirty-seven beautifully executed pen-and-ink drawings by Flaxman, to illustrate Hesiod's "Theogony" and "Works and Days," £21. A pair of portraits, by Hudson, fetched 10s. 6d.; and the "Deliverance of St. Peter," by Hilton, a once popular painter of history, £225. On May 19th, perhaps the most important sale of the season, so far as prices were involved, took place in London. Turner's "Seventh Plague of Egypt" fetched £1,060; "View of Dort," by Stanfield, £1,450; "Taming of the Shrew," by Landseer, £1,510; Rosa Bonheur's "Labourages Niver-

nais," originally painted for Count Orloff, £2,100; and "The Hay Wain," by Constable, which forty years ago was exhibited in Paris and obtained for the artist a gold medal from the French government, £1,365. A landscape, by Gainsborough, brought £504; and one by Richard Wilson, £42; and a portrait of a lady, by Reynolds, £320. Works by Calcott, Cooper, Collins, Ward, Webster, Etty, Dyce, Müller, Phillip, and others, were also disposed of at prices ranging from five hundred to twelve hundred pounds. In the same month occurred a sale of works by the old masters, an event of so rare occurrence in London now-a-days, that it was singled out for special comment. The highest prices obtained were £609 for a still-life subject, by Weenix, and £504 for a seaport scene by Claude. Pictures by Van der Velde, Cuyt, Berghem, Teniers, Canaletti, Guido, Murillo, and other masters, once in repute in England, fetched from one hundred to two hundred and fifty pounds only, far less than they would have realized a few years ago. In June, another similar sale took place, with very similar results. An "Infant Christ," by Raphael, which has been engraved by Doo, fetched £430; and the "Burial of the Virgin," attributed to Giotto, £178. In the same month a large and admirable collection of etchings and engravings, the property of Mr. Drugulin, of Leipsic, was sold at what were considered fair prices. From among a fine series of the works of Albert Dürer, may be mentioned the "Passion of Christ," £17; "St. Eustachius," £33; and "The Knight, Death, and the Devil," £30. The collection also contained a number of the choicest etchings of Rembrandt, including his famous "Christ Healing the Sick," called "The Hundred Guilder Piece," which fetched £70; the "Ecce Homo," £25 10s.; the "Burgomaster Six," £27; and "St. Francis Praying," £29. The last notable sale of the season was that of the collection of prints and drawings by the old masters, formed by the late Dr. Wellesley, principal of New Inn Hall, Oxford, and which comprised examples of most of the great painters of all the various schools. Those by Claude numbered over one hundred, and were of excellent quality. This remarkable collection produced nearly £9,500, and during the two weeks that it continued, excited among connoisseurs an unusual spirit of competition, which was kept up until the last lot was disposed of. From among the drawings the following may be quoted: "Portrait of Cornelissen," by Vandyke, £20; "Portrait of L. Sforza," by Leonardo da Vinci, £54; "Giovanni Galeazzo, duke of Milan," by the same, £82; "Head of a Young Female," by the same, £43; "Portrait of Philip the Second," by Titian, £18 10s.; "St. Hubert," by the same, £42; "A Landscape, with Waterfall," by the same, £30; "Adoration of the Shepherds," by the same, £17 17s.; "Infant Saviour," by the same, £17 10s.; "Ancient Roman Ruins," by Claude, £65 2s.; "Piazza St. Marco, Venice," an ad-



mirable example by Canaletti, £163; "Portrait of A. del Sarto," by himself, £67; "The Marchioness of Pescara," by Michael Angelo, uniting the grandeur of Michael Angelo with the sweetness of Raphael, £290; "The Almighty appearing to Isaac," by Raphael, £35; "Portrait of Raphael's Sister," executed by Raphael in black chalk, £240; another portrait, of the same quality, £300; another, executed with the metal point on a prepared ground, £470; "Virgin, Child, and an Angel," by the same, a mere outline, but possessing great beauty, £380; "Virgin and Child," by the same, full of grace, loveliness, and refinement, £600, which was purchased for the British Museum. The number of works disposed of at auction during the season numbered between 2,000 and 3,000, and the aggregate sum obtained for them was in the neighborhood of £150,000, which was considerably less than during the previous year.

Of the numerous exhibitions of pictures and works of art held annually in London, that of the Royal Academy naturally occupies the first place. It was opened in the middle of April, and proved so attractive, that at the close of May the money receipts exceeded the total payments of any former year. But if the criticisms of the press are entitled to weight, the pictorial labors of the year were less remarkable than might have been expected. The prominent pictures were Leighton's "Procession of Syracusan Virgins," a replica of Maclise's "Death of Nelson," in the palace at Westminster, and Goodall's "Hagar and Ishmael;" besides which, were works by Armitage, Watts, Frost, Poole, Faed, Phillip, Ward, Frith, Stanfield, Marcus Stone, O'Neill, Landseer, Lee, and Linnell. These artists, however, do not represent the whole intellectual strength of the British school, and some of them failed to send their best works to the exhibition. The contributions of others were so badly hung as to appear to signal disadvantage. The exhibition contained nothing at all from Holman Hunt, Millais, Elmore, Rossetti, or Maddox Brown, the greater part of whom evince thought, originality, and power, but because they are opposed in practice to the prevalent notions, are not encouraged to contribute. Hence the complaint is annually preferred against the Academy, that it fails to make its exhibitions a neutral ground, where ability may prove itself and incompetence find its level, and refuses to recognize ideas of art it does not understand, and power which is not its own. Important reforms, however, are about to be made in this institution, now almost a century old, which promise to add to its usefulness as a fosterer of art. It is proposed to limit the number of academicians to forty-two, the present number, to increase the body of associates indefinitely, and from their ranks to fill the vacancies in the academic body on the ground of merit alone, irrespective of any considerations arising from the length of time during which men have been

Associates. At all elections, whether of Academicians or Associates, the latter are to be entitled to vote. These, with a few other proposed changes, though not so many or important as the public demand, will do something to relieve the Academy of the imputation of narrowness and selfishness which has so long been associated with its career, and to make it less of a close corporation than heretofore. They seem to have been rather reluctantly conceded by the members in return for the grant by Government of a site in the grounds of Burlington House, Piccadilly, on which to erect a permanent building for the uses of the institution. The Academy, long located in a wing of the National Gallery, in Trafalgar Square, will soon occupy a new building of a rich classic type on the site granted to it, to be constructed from the designs of Sydney Smirke. The President's chair, left vacant by the death of Sir Charles Eastlake, has been filled by the election of Sir Francis Grant, principally known as a painter of portraits and sporting scenes, but of no reputation in the higher walks of his art.

Outside of the Royal Academy there are many annual exhibitions in London, during the spring and summer, to which we can refer only very briefly. That of the British Institution, established sixty years ago, was noticeable chiefly for many excellent examples of Reynolds. The directors have announced that, in consequence of the expiration of the lease of their present premises, and of their inability to renew it, they will be unable to open an exhibition in 1867, which is considered equivalent to declaring that the Institution is on the verge of dissolution. In view of the many opportunities it has annually afforded of seeing choice examples of the old masters and of contemporary art, this is regarded as a public misfortune. The exhibitions of the Society of Painters in Water Colors and the Institute of Painters in Water Colors were creditable to those associations, while that of the Society of British Artists was very generally condemned for the ambitious, slovenly, or positively meretricious works, generally by inferior painters, which it contained. Besides these, there were held during the season an exhibition of French, Dutch, and Flemish pictures, under the auspices of the International Society of Fine Arts, one of a series of careful copies of early Italian paintings, made by M. J. H. Wheelwright, and one of a remarkable collection of sketches of scenery in China and Japan, by Edward Hildebrandt. Not the least interesting exhibition of the year was that of a collection of many hundred portraits of conspicuous public characters, illustrating the national history from the era of the Plantagenets to the close of the reign of James II. Of Henry VIII. there were sixteen portraits, with portraits of each of his six wives; of his son, Edward VI., eleven portraits; of Queen Mary, ten portraits; of her sister Elizabeth, twenty-seven; and of Mary Queen of Scots, sixteen. Besides these were portraits of



Lady Jane Grey, Darnley, Rizzio, Raleigh, and the great military chiefs and statesmen of the reign; also of Shakespeare, Ben Jonson, and Spenser. The reign of Charles I. was represented by no fewer than two hundred and forty portraits. The commonwealth was illustrated by Cromwell and his family, with the generals who led the Parliamentary troops, and the chiefs of the Long Parliament. Charles II., his courtiers and favorites, were represented by one hundred and ninety portraits. The leading painters who flourished in England during the epochs covered by these pictures, were severally represented by the following number of works; Holbein, 63; Sir Antony More, 13; Jansen, 38; Van Somer, 15; Vandyke, 61; Lely, 63; and Kneller, 12. The exhibition closed in August, and proved so successful as to justify a repetition of it in future years. During the last fortnight that it remained open, it was visited by many thousands of the poorer classes who were admitted at the very moderate charge of 3*d.* per head. American art in the British metropolis was represented by several single works which elicited high praise from the critics. Among these were Bierstadt's "Rocky Mountains," a view of Niagara Falls by Mignot, and an ideal landscape with figures, entitled "The Land of the Lotus-Eaters," by R. S. Duncanson. The first of these was pronounced a work of transcendent merit, and the critic of the "Saturday Review" thanked the artist for the lesson in landscape-painting which the picture had taught. A new picture by Holman Hunt, "The Festival of St. Swithin," was exhibited during the summer. It differed in subject from any thing previously attempted by him, representing a flock of pigeons gathered on a rainy day about a dovecote, and was said to render effects of daylight with remarkable truth and power.

Of permanent art collections the first in importance is the National Gallery, which is hereafter to occupy the whole of the building in Trafalgar Square, hitherto jointly used by itself and the Royal Academy. Parliament has voted a large sum for the purchase of additional land, adjoining this site, on which it is proposed to erect an extension to the present building. A spacious building will also be erected here specially for the reception of the Raphael Cartoons, recently removed from Hampton Court to the Museum at South Kensington. The National Gallery now contains 747 works, exclusive of many thousand drawings; and though in point of numbers it falls behind the principal Continental galleries, in respect to the quality of its contents, it takes very high rank. Aided by liberal grants of money from Parliament, it is constantly making additions to its art treasures, and it also receives many valuable bequests and gifts of pictures. Among recent purchases were pictures by Raphael, Velasquez, and Rembrandt, procured at an outlay of nearly £18,000. One of the most important recent bequests was that of Landseer's celebrated "Mem-

ber of the Royal Humane Society," aptly described as the "noblest figure of a dog that ever looked out from canvas." It is matter of regret that many pictures in the Gallery, emanating from the national school, are threatened with destruction from the cracking of the varnish. This arises from a practice common among English painters, up to within thirty years ago, of glazing their pictures with asphaltum; and the destruction is probably hastened by the inferior ventilation of the building, and the humid atmosphere caused by heating it by hot water. The South Kensington Museum continues to receive accessions of a miscellaneous character, and promises in time to become a huge curiosity-shop. That portion of the National Gallery comprising examples by painters of the British school, which is temporarily deposited in it, has proved, as was expected, a great attraction to the public. The art schools have been better attended during the past year than ever before, and the actual results in respect to employment obtained by students trained therein are represented as more than usually satisfactory. The permanent buildings intended for this institution, and for the construction of which Parliament has already appropriated several hundred thousand pounds, are still far from completion. Portions of the façade are to be ornamented with mosaics from original designs, by Leighton and others, for which species of decoration a growing inclination is manifested in England. The overcrowded condition of the British Museum is a subject of frequent complaint in Parliament and elsewhere. Many of the invaluable marbles possessed by it are defaced with dirt, the engravings and drawings unavailable to those who could profit from a study of them, and objects of *vertu* or of antiquarian interest are put away in obscure corners. Every thing, in fact, is said to show slovenly neglect, except the library, which, thanks to the principal librarian, Mr. Panizzi, is in excellent order. An effective display of the riches of the Museum would require a space very far beyond what is now available, but Parliament has done nothing to supply the deficiency, and in all probability nothing will be done for years to come. Among the treasures secured by the institution during the past year was the fine collection of cameos, bronzes, medals, etc., belonging to the Duc de Blacas, which was purchased in Paris for £48,000. It includes a collection of coins, well known to numismatists; the toilet service of a Roman bride of about the year 300; a colossal head of Æsculapius, of the finest period of Greek sculpture, found in the island of Milos; a collection of Greek fictile vases; mural paintings from Pompeii and Herculaneum; manuscripts, inscriptions, and numerous other articles of great interest to antiquaries.

The mural paintings in the Houses of Parliament which, it was once supposed, were to inaugurate a school of high art in England, seem to have fallen far short of that result, partly in



consequence of the inability of the artists to master the technical processes of fresco, and partly from the defects of the building in which they were required to revive this species of painting. The series of works left unfinished by Mr. Dyce have made no advance since his death, and it seems unlikely that any living English painter can complete them in accordance with the original designs. Maclise has finished his "Death of Nelson" in the Royal Gallery; Herbert is about to commence his "Judgment of Daniel," and Cope is putting the finishing touches upon the last of the series of eight works undertaken by him. The subject is "Speaker Lenthall asserting the Privileges of a Free Parliament." Many blank spaces, however, remain to be filled; and in view of the defective light and the dampness of the building, which mar the appearance of the completed works, it is possible that they may never be filled. The works of Herbert and Watts, in the "Poets' Hall," are fast disappearing under the influences of the humid atmosphere, which in winter prevails in that part of the building, and no attempts at restoration have availed to overcome this radical defect. Efforts to improve the light in certain corridors, decorated with frescoes, have proved partially successful. The series of designs in these buildings, by Maclise, known as the "Story of the Norman Conquest," together with his "Meeting of Wellington and Blücher after the Battle of Waterloo," and "Death of Nelson," are to be engraved for distribution by the Art-Union of London.—Apart from the numerous specimens of excellent engraving annually put forth in England, there were published in 1866 two works, illustrated by the prolific pencil of Gustave Doré, which are remarkable as his first attempts to render the text of great English poets. These were Milton's "Paradise Lost," and Tennyson's "Elaine." The designs of the former seem to have been hastily and crudely executed; but in those of the latter, which have been engraved on steel, he labored with genuine enthusiasm, wishing to make his performance a monument of his own powers as well as to the poet. The result has been very creditable to him. The Arundel Society pursues its useful career as a promoter of art culture by producing chromo-lithographic facsimiles of the masterpieces of the old painters. The "Annunciation," by Fra Bartolommeo, the "Last Supper," by Ghirlandajo, and the "Adoration of the Magi," by Luini, are among the copies recently executed under its auspices, and it is about to reproduce specimens by the Van Eycks. The "Fine Arts Quarterly Review," a publication of great value to art students, contains also many excellent examples, in color or engraved, of the works of old and modern masters. The limits of this article will not admit of any other than a brief allusion to pictorial art outside of the British metropolis. Almost every considerable provincial town has its school of art, so called, and one or more an-

nual exhibitions, contributed to mostly by local artists. The standard reached in these, if not a high one, is above mediocrity, and there is every reason to believe that under the influences at work throughout the United Kingdom an increasing interest in matters pertaining to art will be manifested, and a higher culture developed. Edinburgh has recently inaugurated a Museum of Science and Art, erected by means of special and successive grants by Parliament since 1854; and in Dublin an Irish National Picture Gallery is reported to be making most favorable progress. The works already collected have cost £10,000, of which £6,000 were raised by local subscriptions.

Plastic art has of late years been very generally employed in Great Britain to commemorate the acts or services of public men, and the past year witnessed no diminution of activity in this direction. Statues, busts, or structures of a purely memorial character are multiplying all over the land, and though in respect to the higher qualities of sculpture these productions will not stand the test of searching criticism, they present good average design and workmanship. Signs of promise may be recognized in the greater attention yearly given to the study of form, in efforts to throw off the conventionalisms with which the schools are overgrown, and in the higher standard of criticism already attained, which has damaged more than one reputation resting on no more solid basis than superficial, showy effectiveness. Of the national monuments in progress, the most important and elaborate is that to the late Prince Consort, in Hyde Park, of which a description was given in our last volume. Only the sub-structure was completed at the close of the year, but much of the finished material is on the ground, ready to be put in place, and the mosaics and sculptures, on which the best talent of the country is engaged, are understood to be in hand. The popular affection for Prince Albert continues to manifest itself in the number and variety of the memorials erected to him. A copy of Thorneycroft's bronze equestrian statue of him has been placed in front of St. George's Hall, Liverpool. Another is destined for Wolverhampton, and a third for Halifax, besides several for the provinces. The Albert memorial at Manchester is completed. The four colossal bronze lions, from designs by Sir Edwin Landseer, intended for the base of the Nelson monument in Trafalgar Square, after a delay of many years, were announced at the close of 1866 to be ready, and early in 1867 they were actually set up in public. Another work long delayed is the completion of the bas-reliefs in the pedestal of Baron Marochetti's statue of Richard Cœur de Lion, one of which was inserted in the latter part of the year. It is described as puerile in design, and executed with little care or knowledge. A monument to the Duke of Wellington was voted by Parliament ten years ago, but has never been even commenced. This neglect of the Great Duke



has, however, been partly compensated for by a monument 82 feet in height, surmounted by a colossal bronze statue of him at Strathfieldsaye Park, executed by Baron Marochetti. A mural monument to Sir James Outram in Westminster Abbey, is the only other national memorial calling for notice. Of works of this class, erected by private means, or projected, the number is very much larger, and includes a sitting statue of Macaulay, by Woolner, for Trinity College, Cambridge; one of Gladstone, for Liverpool, and one of Mr. Peabody, for London; one of Sir John Franklin, by Noble, recently erected in Waterloo Place, London, one of O'Connell for Dublin; one of Andrew Marvell for Hull, and one of James Watt, by Munro, for Birmingham. No fewer than four monuments are to be raised to Lord Palmerston at London, Southampton, Tiverton, and Romney, and a statue to Cobden will soon be completed in Camden Town, London. Other statues, including some of colossal size, to public men, inventors, benefactors, etc., who are less generally known, might be mentioned. Busts of Gladstone, Cobden, Thackeray, and Mulready, the painter, intended for public sites, are also among the labors of the year. Of a more private character than these are Weekes's recumbent effigy of Archbishop Sumner, in Canterbury Cathedral, a work of great merit, and Woolner's design for a monument to Mrs. Archibald Peel in the church at Wrexham. The latter, which is to be executed in high relief, presents an affecting and beautiful realization of the idea of a mother and child meeting in heaven after death. American plastic art was not represented publicly in England during the year, but some photographs of sculptures, by Mozier, elicited high praise from the critics. Very general complaint is made of the condition of public sculptures in England, and particularly of the bronze statues, which are, for the most part, coated with opaque oxidation, not unfrequently assuming the appearance of a sooty efflorescence. An exposure of two or three years suffices to blacken the most brilliant metal. The cause of this is attributed rather to the indifferent material employed, which is far from being true bronze, than to the influences of the climate. Some consolation, however, is afforded by the fact that many of the statues thus discolored are so bad in design and workmanship, that it is quite as well they should be "left in the dark." It has been suggested that the experiment should be tried of cleansing some of these works, and coating them with fluid compounds, which resist moisture, and set with a surface like transparent enamel. Statues not exposed to the elements seem to fare equally ill in England. Those in St. Paul's Cathedral, in London, are represented to be covered with dust and dirt-stains, and the general condition of the interior of the edifice, where restorations, mural embellishments, and other improvements are proceeding at a snail's pace, is declared to be a public reproach.

FRANCE.—A marked peculiarity of the history of the fine arts in France is the intimate relation which they sustain to the government, and the patronage which it extends to them. On the occasion of the imperial *fête* of August 15th, pictures and statues were sent to no fewer than one hundred and twelve local museums; in addition to the works purchased for the galleries of Versailles and the Luxembourg, and to those presented to churches and chapels in various departments. Over seventy portraits of the emperor and empress were also presented to public institutions, and the total number of works of art thus disposed of was estimated at upward of three hundred. A further stimulus is given to artistic efforts by a system of rewards and honors skilfully adapted to the popular tastes and ambition. Without expressing an opinion whether patronage of this kind can subserve the purposes of æsthetic culture, it is undoubtedly true that in respect to productiveness art flourishes in France beyond precedent. Immense quantities of pictures and sculptures are yearly produced, the quality of which is, on the whole, above mediocrity. Thus the committee of selection of the annual art exhibition held in Paris, accepted, in 1866, the enormous number of 3,338 works as worthy of exhibition in the Palace of Industry, though it is but proper to add that comparatively few of these were declared to be within the competition for prizes. The remainder were simply deemed worthy of a place upon the walls, and presented almost every phase of quality from respectable to positively bad. The fact, however, that so many pictures and statues are annually produced in the French metropolis, apart from the thousands emanating from provincial artists, is of itself interesting. Gérôme's contribution to the exhibition was a painting representing Cleopatra introducing herself to Cæsar in his tent, while he is writing dispatches; and Courbet was represented by a landscape and a nude female figure, both of which attracted much notice. Of an entirely different character from this was an exhibition opened at the same place in the spring, and composed mainly of works by the old masters. It was entitled the "Exposition Retrospective," and was suggested by the British Institution, which exhibits borrowed works by old painters in conjunction with those of contemporary production. The "Exposition" contained about 200 pictures belonging to sixty owners, and was very rich in examples of the Dutch and Flemish schools. Greuze, the noted French *genre* painter of the last century, was represented by seventeen works. Inspired by the success which attended the great national portrait exhibition at Kensington, the French government is about to form a similar one in a building to be erected in the Champs Elysées, which, it is supposed, will prove an attractive resort during the Great Exposition of 1867. The portraits will be grouped according to the age they illustrate. From an analysis recently made, it appears that the gal-



lery of the Louvre contains upward of two thousand pictures. Among those belonging to the Italian school are twelve Raphael's, three Correggios, eighteen Titians, thirteen Paul Veroneses, etc. Among the specimens of the Flemish are no fewer than forty-two Rubenses, twenty-two Vandykes, seventeen Rembrandts, and eleven Gerard Douws. Of the Spanish great masters there are eleven Murillos and six by Velasquez. The French school possesses but a single specimen of Watteau, but has forty Poussins, sixteen Claude Lorraines and forty-one Joseph Vernets. To the treasures of this famous museum of art has recently been added a collection of over a hundred specimens of stained glass, of Flemish, German, Dutch, and French manufacture, of dates so late as the Fifteenth and Sixteenth centuries.—Sales of pictures are of frequent occurrence in Paris during the spring, and in 1866 the prices realized at them were as a rule very high. The works disposed of are generally of the modern continental schools, those of the national school of course predominating. Landscape art may be said to flourish in France, if we may judge by the fact that a collection of pictures by the late M. Troyon, one hundred and fifty in number, fetched recently at auction nearly half a million of francs.—Of pictures in progress during the year mention may be made of a large composition by Rosa Bonheur representing cattle and drovers in the Scottish highlands. The popularity of Gustave Doré seems unabated, notwithstanding the accumulated demands upon his pencil are beginning to show their ill effects in hasty and crude designs. His illustrated Bible, the first edition of which cost the publisher, M. Mame, over six hundred thousand francs, proved a very profitable undertaking, although the price per volume seemed beyond the reach of most purchasers. The demand for it from Great Britain and the United States has exceeded the utmost expectation of artist or publisher. In 1862 the number of Doré's drawings was said to have reached forty-four thousand, and as he designs for various miscellaneous publications, besides the great works with which his genius is chiefly identified, it must now exceed fifty thousand. Milton and La Fontaine are the authors whom he has most recently illustrated, and report announces him to be now at work on Shakespeare, and projecting the illustration of Homer, Virgil, Ovid, Tasso, Ariosto, and the leading German and Spanish poets.—The propensity to employ plastic art in the erection of monuments to public characters is not less remarkable in France than in England, and in the former country the subjects embrace, perhaps, a wider range. One of the most meritorious works of the year in this department is a full-sized statue of the Empress Josephine, by Vital-Dubray, erected in the open space in front of the bridge of the Alma, in Paris. She is represented in a court dress, holding a medallion of the emperor in her left hand, and resting her

right on a marble shaft. A sitting figure of Rachel by Duret, in the *Comédie Française*, at Paris, has also been highly praised. It represents her in the character of Phèdre, and exhibits no little tragic power both in expression and attitude. One of the most eminent French sculptors, Baron de Triqueti is now executing for Queen Victoria a remarkable series of Biblical scenes for the memorial chapel building in honor of the late Prince Consort. These compositions are executed in a new style of mosaic, the invention of M. Triqueti, and are composed partly of lines cut into the white stone, and filled with color, and partly of pieces of colored marble inserted into the groundwork. Besides this series, the figures in which are nearly of life-size, and which will form the surface of the interior of the chapel, there will be a large number of bas-reliefs, representing saints, prophets, angels, etc., about a foot high, in white marble, which will be inserted in the angles of the borders of the larger pieces, over the doorways, and in panels and cornices. When finished, these decorations will rank among the most exquisite creations of the chisel.

GERMANY.—The forty-fifth exhibition of living artists was opened in Berlin, in September, with 931 works of art, of which 788 were oil paintings. Notwithstanding the interruption caused by the recent European war, the exhibition was larger than the previous one. Among the painters contributing to it were Andreas and Oswald Achenbach, Hermann, Graeb, Hognuet, Carl Becker, Knaus, Jordan, Lusch, and Paul Meyerheim. In the same city is to be erected a colossal statue of the architect Schinkel, who is represented partially enveloped in a cloak, holding in one hand a scroll, and in the other a pencil. The committee having charge of the completion of the Cologne Cathedral has applied to the Prussian Government for permission to obtain by lottery, the remaining funds required for the work. Judging from the success of a similar scheme in the past year, it is presumed that in nine years more the whole amount needed, about \$2,250,000, will be raised. The Bavarian Government has taken the first steps toward the conservation and ultimate restoration of the ancient Cathedral at Ulm, one of the richest examples of Gothic architecture in Germany. The architects, Schmidt, of Vienna, and Denzinger, of Regensburg, have direction of the work. The principal public art undertaking in Munich during the year was the series of frescoes on the Maximilianeum, by Seibertz, Pilotz, and Dietz, representing noteworthy events in Bavarian history. At Vienna the decoration of the Arsenal was continued, and a series of frescoes on the Opera House was commenced by Schwind and Engerth. The latter are intended to illustrate scenes from Mozart's operas, "The Magic Flute," and "The Marriage of Figaro." A monument to the memory of Kepler, the astronomer, has been projected in his native town of Weil, situated in



the Black Forest, toward which contributions have been received from all parts of Germany. A. Kreling, Director of the School of Art, at Nuremberg, was commissioned to send in a design, which he has done, and the model is considered so satisfactory that the execution of the casting has been intrusted to the bronze founders, Messrs. Lenz and Herold, at Nuremberg. The principal figure is nine feet high, and the smaller ones in the pedestal five feet, all of bronze, while the pedestal is made of a fine-grained sandstone, and the total height of the monument is twenty-four feet. Glass painting continues to be practised with marked success in various parts of Germany, the chief seats of the art being Munich, Berlin, and Cologne. In the first of these cities were executed by Hübner and Schnorr, the windows for St. Paul's, London, and the Cathedral at Glasgow. The works produced by the other two were chiefly of the ecclesiastical type, and intended for churches, chapels, and cathedrals, in various parts of Germany. Some of them have even found their way to America.

ITALY.—Florence continues to be one of the chief seats of sculpture in Europe, and among those who practise the art there, an honorable place is held by citizens of America. Powers, Ball, Hart, Jackson, Meade, and Henry, are the best known of them, and the first named has, within the past year, added to his reputation by a statue of "Eve after the Fall," which is said to be quite equal to his famous "Greek Slave." The recent works of Jackson and Meade are mentioned elsewhere in this article. The French sculptor, Dupré, also residing in Florence, has produced a mortuary monument of the singer, Catalani, which is to be placed in the Campo Santo, at Pisa, and two statues of Bacchus, emblematic of abundant and scanty grape harvests; and Fuller, an English artist, a group from Bulwer's "Last Days of Pompeii," and one entitled "The Rape of Europa." The "David" of Michael Angelo has recently been successfully cast in bronze in Florence. The Italian Government has, during the year, thrown open to the public a portion of the covered passage connecting the Pitti Palace with the Palazzo Vecchio. The greater part of it is hung with pictures, many hundred in number, which, from want of space, have never before been exhibited. They comprise portraits of the Medici and other Florentine and Italian notabilities, and a long and extremely curious series of historical works, painted of a uniform umber color; and represent, for the most part, various scenes of the great Florence festivities, which took place during many consecutive years, when the Medici were omnipotent in the famous Tuscan city. Rome is scarcely less noted than Florence as a residence of sculptors, among whom are many American, male and female. In the former class may be mentioned Story, Rogers, and Mozier; in the latter, Miss Hosmer, Miss Stebbins, Miss Freeman, Miss Foley, and Miss Edmonia Lewis. Miss Foley has recently been

engaged upon medallion heads of distinguished American authors, and Miss Freeman on subjects taken from Longfellow's poems. Of the later productions of Miss Hosmer and Miss Lewis, we have spoken elsewhere. Pictorial art has also been represented in Rome by Terry, Tilton, Ropes, Miss Church, and the Misses Williams, all Americans. In the summer, a collection of objects of fictile art was exhibited at the museum of St. John Lateran, singularly at variance with the contents of that building. It comprised terra-cotta busts, statuettes and tableaux in alto-relievo, illustrating the history, manners, and customs of the North American Indians, and was said to be executed with great spirit and truthfulness. Excavations continued to be made in the neighborhood of Rome. Among the latest discoveries of antique art was a draped statue of great merit, found near Santa Maria Nuova, on the Appian Way.

FITZPATRICK, Right Rev. JOHN BERNARD, Roman Catholic Bishop of Boston, born in that city, November, 1812, died there February 12, 1866. His early instruction was received in the public schools of Boston, on leaving which he was sent to a college in Montreal, where he remained eight years. From thence he repaired to the Sulpician College, in Paris, where he pursued his studies for three years, when he was ordained a priest, and returned to Boston in 1840. Soon after his return he was appointed pastor of St. John's Church, in East Cambridge, Mass., but remained a short time, being chosen coadjutor to Bishop Fenwick of Boston, and was consecrated March 24, 1844. Two years later, by the death of the venerable Bishop Fenwick, he became bishop of that diocese, entering upon the duties of his office with the zeal and application which had characterized his previous career. In 1854 he visited Europe upon business connected with his church, and again in 1862, for the restoration of his health. Returning to his field of labor, with an increase of strength, he resumed his duties with his usual devotion, which soon dissipated the physical benefit he had received, and after lingering for months in a state of severe bodily suffering, he sank under his fatal malady. He had attained a high rank in scholarship, and was greatly respected by liberal men of all denominations. Bishop Fitzpatrick was a member of the American Academy of Arts and Sciences, and received the honorary degree of Doctor of Divinity from Harvard College in 1861.

FLORIDA. The transfer of the civil authority, held by the Provisional Governor of Florida, appointed by President Johnson, to the Governor elected by the people, was made on January 17, 1866. The Legislature of the State was at the time in session, and General Walker nominated immediately for chief justice of the Supreme Court C. H. Dupont, and for associated justices A. E. Maxwell and J. M. Baker. These nominations were confirmed, without a reference, by the Legislature. The school fund, at the beginning of the year,



amounted to \$109,571, at 8 per cent., and \$59,366, at 7 per cent., yielding about \$12,411, or fifty cents yearly to each child between five and eighteen years of age. The counties have not coöperated by levying a tax, and the fund has been of no avail. The direct tax levied by Congress upon the State in 1861, was \$77,522, which the Legislature applied to Congress to authorize its assumption and payment by the former, and a suspension of all proceedings that had been commenced against individuals. In their memorial to Congress they say:

Now, in consideration of these facts, and in order that your honorable body may have all information in the premises, and that the people of Florida have returned to their allegiance and loyalty, and this day they are the firm supporters and adherents of that Union, which they know from past experience is to be perpetual, they show that during the late war many of those persons whose property was sold, resided in the Confederate lines, and amongst those who are the sufferers are many widows and orphans, who from circumstances are unable to subscribe to the required oath. It is therefore from these reasons, and because we believe that your honorable body is the exponent of that magnanimous spirit which has been exhibited toward the States lately in insurrection, and because we believe that said law was passed under the war powers of Congress, and as war no longer exists, but the State of Florida is now in peace with the United States, and through her convention has made, and now through this General Assembly is making every effort to regain her former position in the union of States; and as her people, whether under military rule or the milder sway of civil law, have always shown a willingness to return to the Union unsurpassed by any other of the insurrectionary States, and as her people have been ever noted for their faithfulness in whatever cause they may espouse, therefore, your memorialists ask that the Congress of the United States will allow the State of Florida to assume the payment of said "direct tax," under the same conditions as the loyal States were allowed, and that your honorable body will so change the law now in existence as to do away with the required oath; and that your body will place the State of Florida in the same position to all intents and purposes as that occupied by the loyal States of the Union; and as your memorialists cannot be unmindful of the fact that they represent a State in this Union, and that they are agents of a portion of the great American people, and as the right of petition or memorial has been recognized since the establishment of this great republic: Wherefore, the representatives of the people of the State of Florida ask the Congress of the United States to grant them this right, granted to other States, and to enable her people to enjoy the same privileges as the citizens of other States.

An act was approved by the Governor, on January 12th, which regulated contracts with persons of color. It required all such contracts to be in writing, and to be explained to such person of color who was a party, in the presence of two credible witnesses, one of whom should make an affidavit of such explanation, and that the colored party voluntarily entered into it, and signed it, and that the contract should be filed with a judicial officer of the State or county residing in the county where the contract was made. The person of color willfully neglecting or refusing to perform his contract was made liable to the penalties for vagrancy, and might be ejected—if a tenant—

from the premises of the other party. On the failure of the latter to perform his contract, the colored person could make a complaint before the judge of the criminal court, who was required to proceed to try the same before a jury, who could give such damages as they deemed proper. Any person enticing a laborer to quit the service of another, on conviction might be fined not more than \$1,000, or required to stand in the pillory not more than three hours, or be whipped not more than thirty-nine stripes on the bare back. At the same time the Legislature passed an act establishing a county criminal court, which had concurrent jurisdiction with the circuit court in the trial of assaults, assault and battery, assault with intent to kill, riot, affray, larceny, robbery, burglary, malicious mischief, vagrancy, and all misdemeanors, and all offences against religion, chastity, morality, and decency, provided the punishment does not affect the life of the offender. No presentment, indictment, or written pleadings are required in the proceedings, but the offence is to be set forth in the warrant of arrest. All offences are to be tried by a jury of twelve men. The person upon whom any penalty, fine, or forfeiture is imposed, may, for the non-payment thereof, be put to such labor as county commissioners may direct. At the same time an act was passed requiring all colored persons living together in the relation of husband and wife, and who had not been legally married, to appear before some legally authorized person, and be joined in the bands of matrimony. This marriage should legitimize all previous issue, and must be recorded with the county clerk. Another act made parties in civil suits witnesses, and their interest in the cause should affect only their credibility. Another act authorized parents to apprentice their children under sixteen years of age, without the consent of the latter; if over sixteen the consent must be written. Another act made the judicial tribunals of the State, with the processes thereof, accessible to all the inhabitants without distinction of color, and repealed all laws previously passed with reference to slaves, free negroes, and mulattoes, except the act to prevent their migration into the State, and the act prohibiting the sale of fire-arms and ammunition to them. Another act provided for the appointment of a superintendent of common schools for freedmen, with assistants in each county where the number of children might justify it, who were authorized to establish schools for freedmen. It ordered a tax of one dollar upon every male person of color between the ages of twenty-one and fifty-five, the proceeds of which should constitute a common-school fund for freedmen. The following preamble and resolution relative to the pardon of Jefferson Davis was also adopted:

*Whereas*, We feel a deep solicitude for the President of the late Southern Confederacy: And *whereas* we recognize him only as an instrument and as an agent of the Southern people, and guilty only to the



extent of others who have already received the executive clemency for the same offence, and respectfully appreciating the wisdom, magnanimity, and justice of the President of the United States:

*Be it resolved by the Senate and House of Representatives of the State of Florida in General Assembly convened,* That his excellency Andrew Johnson, President of the United States, whose administration has been signalized in a most extraordinary degree by the great virtues of clemency and mercy, be requested, to extend a pardon to the said Jefferson Davis.

In the act prescribing additional penalties for the commission of offences against the State, approved January 15th, the 12th section forbids any negro, mulatto, or other person of color, to own, use, or keep in his possession or under his control any bowie-knife, dirk, sword, fire-arms or ammunition of any kind, without a license from the judge of probate, issued on the recommendation of two respectable citizens, etc., etc. The question arose whether this section of the act was not in violation of the Constitution which declared, "all the inhabitants of the State, without distinction of color, are free, and shall enjoy the rights of person and property without distinction of color." The opinion of the attorney-general given to the Governor, says that the liberty to keep and bear arms is a right of person and property, and the Legislature is expressly prohibited from passing any law which makes a discrimination in this respect on account of color. He further said:

The intention of the Convention of this State to make no legal distinction between the white and colored inhabitants of this State, is apparent from the whole tenor of the constitution. Having reserved to the white inhabitants of the State all the political power thereof, the constitution expressly provides that no distinction as to legal rights of person or property shall exist. As to the policy of this provision I have nothing to say. It was the opinion of the Convention that it was best, and it appears in the constitution of our State. The distinctions that have been made in various States of the Union, both North and South, between the legal rights of white and colored persons, have been made under constitutions differing from the constitution of this State in this respect. In some of these States the constitution expressly authorizes the distinction, in others it is silent on the subject. The constitution of this State expressly prohibits it.

About February 1st the Legislature adjourned to November 14th. The question which excited the greatest interest at this session was the amendment to the Federal Constitution, proposed at the last session of Congress. Governor Walker, in his message, thus presented the subject:

The constitutional principle is, that Federal representation and taxation are based upon the census, while the exercise of suffrage is regulated by State laws. The number of representatives due to a State is expressly made to depend on its population, and that alone; while it is as expressly remitted to the State's own discretion to say who among its citizens shall constitute the voters or electors to make choice of or appoint those representatives. Accordingly, the States have exercised this function in entire freedom, and, in point of fact, very variously. Some have conferred suffrage upon every male above twenty-one years, without distinction; some on every white male; some have required, in addition, quali-

fications of residence for greater or less periods; some have required also the payment of taxes, and some possession of freeholds. The proportions of voters to population have therefore been as various as the State laws. Nobody ever conceived that in this any unfairness was operated by one State as against another.

The idea seems to imply that a representative represents merely the voters, instead of the people generally; instead of which the voters, whether few or many, are in fact only the appointing power. Nobody imagines, for instance, that the Senator represents merely the Legislature or Governor that appointed him; or that the President of the United States is the President of the electoral college, instead of the people; or that our wives and children are not represented because they do not vote. Representatives in Congress are based upon population, and represent population, while the designation of the citizens who are to nominate them is matter of State discretion and regulation. This is the whole statement. There is no unfairness in it, and none would ever have been suggested, but for the fact that the liberation of our slaves has incidentally added to our representative population.

Let us look at the consequences of making voters and not numbers the basis of representation. Virginia requires two years' residence for suffrage, while some States, perhaps, require none. Virginia thus reduces comparatively the number of her voters. Suppose the reduction to be one-half—the degree does not affect the principle—can it be said in any fair and equitable sense that she thus gains an advantage over a sister State, and that to meet the evil Virginia's representation must be cut down? Let us take a possible case. Suppose Pennsylvania should conclude that, as she makes her sons fight at eighteen years, she ought to let them vote at the same age, and should thus add to the number of her voters as compared to Ohio; would this give her a right to exclaim as against Ohio that a voter there had more weight than a voter in Pennsylvania, and that Ohio's representation ought therefore to be cut down accordingly?

Take another not only possible, but probable case. Suppose Massachusetts shall adopt female suffrage, and thereby double the number of her voters; will this give her a right to have the representation of Pennsylvania cut down one-half? I think I have said enough to satisfy any reasonable man that it is best to let the basis of representation remain as our fathers fixed it—on the census, and not the voters.

He objected to the third section of the amendment as designed to punish certain classes of citizens, not more guilty than others, by depriving them of their right to hold office under the State and Federal Governments, and said:

Look around you and see how few persons will be left in office after this amendment is adopted, and you will see that to vote for it is to vote for the destruction of your State government. After taking out all the proscribed officers, there will not be enough left to order elections to fill the vacancies, and a military government will become a necessity. And who are those whom we are asked thus to disgrace with official disfranchisement? Are they not those whose experience and abilities are most necessary to the State in this her hour of trouble? Are they not those whom we have always regarded as the very best men in our land? Are they not those whom we have loved and trusted above all other men in the State? Are they not those, in thousands of instances, who witnessed the act of secession with bleeding hearts, and engaged in the rebellion only out of deference to the will of their State? Are they not those who sacrificed themselves to serve their State? And will their State now turn round and repay their devotion by putting a mark of infamy upon



them? Perish forever so base a thought! If they are to be disfranchised, let it be by no act of ours.

The Committee, in the House of Representatives, to whom the subject was referred, reported against the ratification of the amendment, and thus closed their report:

As the representatives of the people of the State of Florida, we protest that we are willing to make any organic changes of a thoroughly general character, and which do not totally destroy the nature of the government. We are willing to do any thing which a generous conqueror even should demand, much less the Congress of our common government. On the other hand, we will bear any ill before we will pronounce our own dishonor. We will be taxed without representation; we will quietly endure the government of the bayonet; we will see and submit to the threatened fire and sword and destruction, but we will not bring, as a peace offering, the conclusive evidence of our own self-created degradation.

Our present relations with the general government are certainly of a strange character. Beyond the postal service, our people derive no benefit from our existence as a State in the Union. We are denied representation even when we elect a party who has never in fact sympathized with armed resistance to the United States, and who can, in good faith, take the oath. We are at the same time subject to the most onerous taxation; the civil law of the State is enforced and obeyed only when it meets the approval of the local commander of the troops of the United States; the Congress of the United States enacts laws making certain lands subject to entry at a small cost by the colored portion of our population, and denies the like privilege to the white man by restrictions amounting to a prohibition.

We are, in fact, recognized as a State for the single and sole purpose of working out our own destruction and dishonor. None of the benefits of that relation exist. In other words, we are recognized as a State for the highest purposes known to the Constitution, namely, its amendment; but we are not recognized as a State for any of the benefits resulting from that relation.

Your committee, for these reasons among others, recommend that the House of Representatives, do not ratify the proposed amendment.

This report of the committee was unanimously adopted by the House.

The bonded debt of the State is about \$370,617, on which there is interest due to the amount of \$100,485. The debt not bonded is \$167,759. This includes the indebtedness before and since the war, without including the scrip issues during the first year of the war, which are regarded as cancelled by the act of the State Convention. This issue of scrip was without value outside of the State, and was chiefly made for the purpose of carrying on the operations of the State, and for the relief of the destitute inhabitants. It was received for home products, even when the Confederate currency was repudiated—through reliance on the good faith of the State. On the principle that all acts or laws impairing contracts are unconstitutional, it is intended yet to bring the subject before the courts for adjudication.

In a proclamation issued by President Johnson on April 2d, it was declared that the insurrection which heretofore existed in the State of "Florida is at an end, and henceforth to be so regarded." Orders from the Secretary

of War, with the approval of the President, issued on April 9th, declared that, although the President's proclamation did not remove martial law, it was not expedient to resort to military tribunals in any case where justice could be attained through the medium of the civil authority. The major-general (J. G. Foster) in command of the department, issued his orders on April 27th, stating these facts, and also saying that, whereas the Constitution had provided that the inhabitants of Florida "are free, and shall enjoy the rights of person and property without distinction of color," and "the courts being organized in the State, and the officers and people in general 'well and loyally disposed,' so that the Constitution and laws can be sustained, and enforced therein by proper civil authority, State or Federal," and the civil rights bill having been passed by Congress, he therefore directed that all persons under military arrest should be turned over to civil authorities for trial, except soldiers and those subject to military law, and that commanders, when requested, should assist the ministerial officers of the civil authorities in making arrests. Governor Walker immediately issued a proclamation announcing the facts to the people, congratulating them upon the restoration of judicial authority, and making the following statements:

Let us constantly remember that every lawless act any individual in our State may commit, and every indiscreet expression that may be uttered, is immediately exaggerated and published broadcast over the Northern States with the view of making it appear that the President is wrong and his enemies are right. We are passing through a fearful ordeal. The eyes of the world are upon us. Let us, therefore, be wise as serpents, and harmless as doves. In times like these, it is the duty of every good citizen not only to obey the Constitution and laws himself, but to see as far as possible that every one else does so, for each now is held responsible for all, and all are held responsible for each. Therefore I charge not only every officer, but also every man in the State, to be vigilant in the exercise of all his duties as a loyal citizen of the United States, to see that all crime is instantly punished, and that all the laws, and particularly those for the protection of the freedmen are duly executed.

All the greater crimes, such as murder, arson, etc., having since the surrender of General Johnston up to this time been punishable alone by the military, our magistrates and people have fallen into the habit of looking alone to the military for the arrest of offenders, but hereafter this will not be the case. The military have ceased to arrest except upon the warrant of the civil magistrates. I urge the magistrates and people themselves to be *prompt* to apprehend and punish all violators of the laws, of whatever grade.

I know that our people are loyal, and I feel under no necessity, therefore, of impressing the duty of loyalty upon them, but I wish to warn them particularly against all expressions of impatience which can, by any system of torturing, be construed into utterances of disloyalty. Such expressions are all reported to the North and magnified and made to play an important part in the war upon the President. Every intemperate paragraph in a newspaper is particularly adapted to this purpose—and I here beg leave to say that I think it is high time that the custom which has so long prevailed among our people and newspapers both South and North, and with such dis-



astrous results, of speaking evil of each other, should be desisted from—it is a custom certainly much more honored in the breach than in the observance, and is productive of nothing but evil continually. I am sorry to say that some of our Southern newspapers are copying too closely the bad example set by some in the North. The only object of certain journals would seem to be to prejudice one section of the country against the other. So they increase their subscription-lists and enlarge their advertising columns, they appear not to care what becomes of the country. The Northern papers of this class reject as odious all notice of every thing good that is done in the South, and collect with care every instance of lawlessness, great or small, real or imaginary, and parade it in their columns until the minds of their readers are poisoned against us, and they mistake the act of one lawless individual for the uniform conduct of the whole community.

On the other hand, some of our Southern papers notice nothing good in the North, but cull with equal care every instance of elopement, murder, theft, robbery, arson, burglary, starvation, destitution, Mormonism, free-love, etc., etc., until their readers are taught to believe that the North is utterly corrupt. Now, this is all wrong. I have lived all my life in the South, and have been much at the North, and the result of my observations is, while too much vice exists in either section, yet the good in both vastly preponderates. And besides this, we are brethren, and why should brethren strive to blacken the characters of each other? The God of battles has irrevocably decreed that we are one people. We must learn to live together as brethren.

Early in the year, the assistant commissioner reported that the labor system had become settled, that the freedmen were at work diligently on the plantations, and appeared to give satisfaction to their employers. The control and protection of their rights had been transferred, as far as was practicable, to the regularly authorized courts, and in most parts of the State the transfer had been attended with success.

A current of immigration has flowed into the State since the close of the war. The soil, the climate, and the natural productions of the State are enthusiastically described by the Federal officer in charge of the land office at Tallahassee. "There is perhaps no soil in America, that to the eye of the New Englander could look more forbidding than that of Florida; at the same time there is no soil on this continent that will produce more valuable crops to the acre, than can be raised here. The poorest soil will produce two hundred pounds of cotton to the acre, and I have seen land in middle Florida that for seventeen years past has produced one bale of sea-island cotton to the acre. In the southern portion of the peninsula immense sugar crops are grown, while tropical fruits thrive at all seasons. Game is abundant. The rivers and lakes abound with fish. The shores of the gulf on the west and the Atlantic on the east, literally swarm with them in endless variety, of turtle, terrapin, etc., while the soil and climate are of such character that two and in some portions of the State three crops have actually been raised in one year. A more equable climate cannot be found in the world, Italy not ex-

cepted. It is never so warm at midsummer in South Florida as to inconvenience the white laborer in out-door labor, or so cold in winter as to require any additional amount of clothing. The country is yet comparatively new, and I know of none more desirable to that industrial class of which emigrants are chiefly composed. The products of the State are largely in demand. Cotton, Sisal hemp (one ton of the latter can be grown upon an acre of the poorest soil in Florida), sugar, indigo, tobacco of superior quality, arrow-root, the castor-bean, pine-apples, oranges, lemons, limes, cocoanuts, etc., produce largely, and can be made most profitable for purposes of exportation; while the vegetables of every part of the world can be produced in Florida. There are United States lands in every county in the State subject to entry under the 'homestead law,' of which each actual settler can obtain eighty acres."

FOOT, Hon. SOLOMON, an American statesman, born in Cornwall, Addison County, Vt., November 19, 1802, died at Washington, D. C., March 28, 1866. He graduated at Middlebury College, Vt., in 1826; was for one year principal of Castleton Academy, and for a time tutor in the University of Vermont, and Professor of Natural Philosophy in the Vermont Academy of Medicine. Devoting himself to the study of law, he was admitted to the bar in 1831, and at once entered upon an extensive and successful practice of his profession in Rutland, where he resided until his death. But the appreciation of his fellow-citizens soon called him from his chosen sphere of action and he was elected to the legislature of his State, serving several terms, during three of which he was Speaker of the House. In 1836 he was a member of the Convention for altering the State Constitution, and was a State attorney from 1836 to 1842. After this a wider sphere of duty demanded his presence, and he was a Representative in Congress from 1843 to 1847. Returning to his home in Rutland, after declining reelection, he resumed his legal practice, but was suffered to retain it but four years, being elected United States Senator in 1850, and continuing to serve in that capacity until his death. During this period he was on several important committees. He was particularly active on the Committees of Foreign Affairs, Pacific Railroad, Pensions, and Commerce. He was also chairman of several committees, and through nearly three Congresses was President *pro tem.* of the Senate, in which position he displayed a thorough knowledge of parliamentary law. In 1854 or 1855 Mr. Foot was chosen President of the Brunswick and Florida Railroad Company in Georgia, and during the recess of Congress visited England, negotiated the bonds of the company, and purchased the iron for the railroad, after which he resigned his post as president.

Mr. Foot was known as a man of indisputable integrity and ever faithful to his principles. He was a thorough Whig while that party was in existence, and when the organization was



broken up became as decided a Republican. As a Senator he was distinguished for his practical common sense, conscientious adherence to principle, faithfulness in the discharge of his duty, and uniform candor and courtesy equally toward those who agreed with him and his opponents, while the probity and openness of his character made him especially valuable both as to executive affairs and as an adviser. His private character as well as public career, gave ample evidence of deep and consistent piety.

FRANCE. An empire in Europe. Emperor, Louis Napoleon (Napoleon III.), born April 20, 1808; chosen hereditary emperor by the *plébiscite* of November 21 and November 22, 1852. Heir apparent, Napoléon Eugène Louis Jean Joseph, born March 16, 1856.\* The area of France amounts to 207,232 square miles. The quinquennial census taken in 1866, gives 38,064,094 as the number of inhabitants, exclusive of 125,000 employed abroad in Algeria, Mexico, etc. This is an increase of 680,933 over the census of 1861. There are in France 19,014,109 males and 19,052,985 females. The females are therefore in a majority of 38,876. In thirty-one of the eighty-nine departments in France there has been a diminution of the number of inhabitants to the extent of 106,459, which is attributed to emigration and migration from the country districts into the large cities. The population of Paris amounted, in 1861, to 1,696,141; that of the *arrondissement* of St. Denis to 133,434; and that of Sceaux to 122,085. According to the census of 1866, these numbers have severally increased to 1,825,274, 178,359, and 147,283. Thus, in five years, the population has increased 197,256; the increase in Paris being 129,133; in St. Denis, 42,725; and in Sceaux, 25,398. The increase of population has been greatest in the department of the Seine, and the decrease greatest in the department of La Manche. Algeria, which is divided into the three departments of Algiers, Constantine, and Oran, had a population of 2,999,124 inhabitants, of whom, on 31st December, 1864, 235,570 were Europeans.

The colonial possessions of France were increased in 1866 by the acquisition of Adulis and Obock in Africa; but no official statements have yet been published of either area or population of these new possessions.†

The budget for 1867, as voted by the Senate and Legislative body, was as follows:

	Receipts. Francs.	Expenses. Francs.
Ordinary Budget.....	1,862,954,865	1,769,057,169
Extraordinary Budget....	133,104,201	133,054,201
Total.....	1,996,059,066	1,902,111,370

Probable surplus of receipts over 90,000,000 francs. In a financial report published by M. Fould, on December 20th, the minister shows

\* For an account of the French Constitution, see ANNUAL CYCLOPEDIA for 1865.  
† For a full statement of the colonial possessions, see ANNUAL CYCLOPEDIA for 1865.

that, owing to the increase of 45,000,000 francs in the revenue arising from indirect taxation, the budget for 1866 will be definitively balanced. Relative to the rectified budget for 1867, the minister estimates the surplus revenue yielded by indirect taxes at ninety millions, and points out other resources. He concludes, therefore, that this budget will also be balanced. Notwithstanding the considerable expenditure necessitated by new armaments and the return to France of the troops from Mexico, it will not be necessary to impose new taxes or to appeal to public credit. The minister estimates that the ordinary budget of 1868 will show a surplus of 121,000,000 francs. No credit is demanded in the budget for 1868 in respect of the new organization of the army, the emperor having determined that the necessary expenditures should be provided by special bills on the presentation of the rectified budget for 1868. M. Fould states that the State will then be in possession of more than sufficient resources to meet these requirements.

The total receipts from indirect taxation in France for the year 1866, comprising customs, excise, stamp duties, post-office, government manufactures, etc., amounted to 1,282,268,000 francs, showing an increase of 259,734,000 francs in 1865. The branches of revenue most productive appear to be registration duties and mortgages, which have yielded 346,350,000 francs; stamps, 82,318,000 francs; potable liquor, 240,405,000 francs; and tobacco, 242,022,000 francs. With respect to the direct imposts, the total paid into the treasury in 1866 amounts to 530,569,000 francs, leaving only 434,000 francs outstanding. The law expenses for the same year were in the proportion of 1*fr.* 30*c.* per thousand francs, which is an increase of two centimes per thousand francs on the year preceding.

According to the budget of the minister of war, for 1867, the army was composed as follows:

	PEACE FOOTING.		WAR FOOTING.	
	Men.	Horses.	Men.	Horses.
Staff.....	1,845	160	1,914	.....
Gensdarmes....	24,446	14,769	25,688	15,000
Infantry.....	246,612	402	515,035	.....
Cavalry.....	59,305	42,078	100,221	65,000
Artillery.....	37,790	15,357	66,132	49,838
Engineers.....	8,057	987	15,443	1,400
Military equip- ments.....	5,590	5,142	15,829	12,000
Administration.	10,113	240	17,536	.....
Total.....	393,758	79,135	757,798	143,238

On April 1, 1865, the army was distributed as follows:

	Men.	Horses.
In France.....	285,806	64,446
" Algeria.....	77,705	16,494
" Rome.....	13,000	1,245
" Mexico.....	28,360	7,845
Total.....	404,871	90,030



The French fleet consisted, on July 1, 1866, of 66 iron-clad screw steamers, together with 1,121 guns, and of 29,425 horse-power; 238 other screw steamers, together with 4,878 guns and 63,883 horse-power; 75 wheel steamers, together with 396 guns and 15,225 horse-power; 126 sailing vessels, with 1,288 guns; together 506 vessels, with an aggregate of 7,683 guns and of 108,533 horse-power. The marine troops were composed as follows:

	Peace Footing.	War Footing.
Officers.....	2,508	3,074
Engineers, hydrographers, commissariat, etc.....	1,560	1,560
Clergymen, physicians, etc.		
Workmen, superintendents.....	655	655
Machinists, etc.....	4,011	4,011
Military equipage.....	40	40
	32,805	66,000
	41,579	75,340
Workmen in seaports.....	20,929	25,000

The general and special\* commerce of France with the countries of America and some of the leading countries of Europe during the year 1864 was as follows (value expressed in millions of francs):

COUNTRIES.	IMPORTS.		EXPORTS.	
	Gen'l Com.	Spec'l Com.	Gen'l Com.	Spec'l Com.
<i>America.</i>				
United States of America	75.1	69.2	100.8	84.1
Mexico .....	6.1	5.7	70.7	57.3
Guatemala .....	1.1	1.0	0.8	0.7
Hayti .....	28.9	31.1	12.8	9.6
Brazil .....	85.9	58.7	129.2	82.0
Argentine Republic.....	41.5	41.6	51.9	39.3
Uruguay .....	30.4	29.8	27.1	19.8
Chili .....	17.2	16.9	33.2	22.4
Peru .....	51.2	36.4	36.4	24.8
Bolivia.....			0.2	0.2
Ecuador.....	1.1	0.4	1.8	1.5
United States of Colombia .....	1.4	1.3	3.5	2.7
Venezuela.....	14.3	13.2	9.5	7.8
<i>Europe.</i>				
Russia .....	93.1	68.9	27.4	23.8
German Zollverein.....	286.0	155.3	237.0	215.5
Great Britain.....	679.6	567.2	114.5	891.1
Belgium.....	397.1	284.7	257.7	229.1
Italy .....	278.3	227.9	409.9	275.1

The total commerce of France† during the year 1864, was (value expressed in millions of francs):

IMPORTS—General commerce.....	3,407.4
Special commerce.....	2,523.2
EXPORTS—General commerce.....	3,921.2
Special commerce.....	2,924.2

The speech of the emperor, on receiving the diplomatic corps on January 1, 1866, con-

tained no remarks of importance. With regard to the future, the emperor said: "We shall be happy if we can, as at present, congratulate ourselves upon having avoided dangers, removed apprehensions, and strengthened the bonds which unite nations and kings; and happy, above all, if the experience of accomplished events enables us to augur a long day of peace and prosperity for the world."

The session of the French Legislature was opened on January 22d, by the emperor, who delivered the following speech:

*Messieurs les Sénateurs, Messieurs les Députés:*

The opening of the legislative session permits a periodical exposition of the situation of the empire, and the expression to you of my views. As in preceding years, I will examine with you the principal questions which interest our country. Abroad, peace seems assured everywhere, for everywhere the means are sought for of amicably settling difficulties, instead of ending them with the sword. The meeting of the English and French fleets in the same ports has shown that the relations formed on the field of battle have not been weakened; time has only cemented the agreement of the two countries.

In regard to Germany, my intention is to continue to observe a policy of neutrality, which, without preventing us at times from being displeased or satisfied, leaves us, nevertheless, strangers to questions in which our interests are not directly engaged.

Italy, recognized by almost all the powers of Europe, has strengthened its unity by inaugurating its capital in the centre of the peninsula. We may count upon the scrupulous execution of the treaty of the 15th September, and the indispensable maintenance of the power of the Holy Father.

The bonds which attach us to Spain and Portugal are still more strengthened by my late interviews with the sovereigns of those two kingdoms.

The budget of the public works and that of education have not undergone any diminution. It was of use to preserve to the grand enterprises of the State their fertile activity, and to maintain the energetic impulse of public instruction.

Agriculture has made great progress since 1852. At this moment it suffers from the decline of the price of cereals. That depreciation is the necessary consequence of the plenty of the harvests, and not of the suppression of the sliding scale. I have thought it useful to open a serious inquiry into the condition and needs of agriculture. It will, I am convinced, confirm the principles of commercial liberty.

In the midst of always increasing prosperity, unquiet spirits, under pretext of discussing the liberal progress of the government, would hinder it from marching by taking from it all force and initiative. The constitution of 1852, submitted to the acceptance of the people, undertook to establish a system rational, and wisely based on the just equilibrium between the different powers of the State. It is at an equal distance from two extreme situations. With a chamber, mistress of the fate of ministers, the executive is without authority and without spirit. In the same way it is without control if the elective chamber is not independent and in possession of legitimate prerogatives. Our constitutional forms, which have a certain analogy with those of the United States, are not deficient because they differ from those of England. Each people should have institutions conformable to its genius and traditions. Assuredly, every government has its defects; but, casting a look at the past, I rejoice in seeing, at the end of fourteen years, France respected abroad, tranquil within, without political prisoners, without exiles beyond its frontiers. The

\* By "special commerce," those imports are understood which are intended for consumption in France, and those exports which are produced in France.

† For latest statistics of the movement of shipping and the merchant navy, see ANNUAL CYCLOPÆDIA for 1865.



nation for four score years has amply discussed theories of government. Is it now not more useful to seek the practical means of improving the moral and material condition of the people?

Let us employ ourselves in spreading everywhere intelligence, healthy economic doctrines, the love of what is good, and religious principles. Let us endeavor to solve by the freedom of transactions the difficult problem of the just distribution of productive forces, and let us attempt to ameliorate the condition of labor in the fields as in the workshops. When all Frenchmen invested with political rights shall have been enlightened by education, they will discern the truth without difficulty, and will not suffer themselves to be seduced by plausible theories. When all those who live by daily wages shall have seen increased the benefits which assiduous toil procures, they will be firm supporters of a society which guarantees their welfare and their dignity. Finally, when all shall have received from infancy those principles of faith and morality which elevate man in his own eyes, they will know that above human intelligence, above the efforts of science and reason, there exists a Supreme Will that rules the destinies of individuals as well as of nations.

You have shared with me the general indignation produced by the assassination of President Lincoln; and recently the death of the King of the Belgians has caused unanimous regrets.

In Mexico, the Government, founded by the will of the people, is being consolidated. The opposition, conquered and dispersed, have no longer a chief, the national troops have displayed valor, and the country has founded guarantees of order and security, which developed its resources, and raised its commerce with France alone from 21 to 77 millions. As I expressed the hope last year that our expedition was approaching its termination, I am coming to an understanding with the Emperor Maximilian to fix the epoch for the recall of our troops before their return is effectuated, without compromising the French interests which we have been defending in that remote country.

North America, issuing victoriously from a formidable struggle, has reestablished the Union, and solemnly proclaimed the abolition of slavery. France, which forgets no noble page of her history, offers up sincere wishes for the prosperity of the great American Republic, and for the maintenance of amicable relations, which soon will have had a century's duration. The emotion produced in the United States by the presence of our troops on the Mexican soil will be pacified by the frankness of our declarations. The American people will comprehend that our expedition, to which we invited them, was not opposed to their interests. Two nations equally jealous of their independence ought to avoid every step which might affect their dignity and their honor.

It is in the midst of populations satisfied and confiding that our institutions perform their functions. The municipal elections are conducted with the greatest order and the most entire liberty.

The law upon coalitions, which gave rise to some apprehensions, has been carried out with a strict impartiality on the part of the Government, and with moderation on the part of those interested. The working class, intelligent as it is, has comprehended that the more facility is accorded to it to discuss its interests the more it is bound to respect the liberty of each, and the security of all.

The inquiry into the coöperative societies has come to demonstrate how just were the bases of the law which has been laid before you on this important subject. This law will permit the establishment of numerous associations to the benefit of labor and of industrial development. In order to favor the development of them, I have decided that authorization to meet together shall be accorded to all those who, outside of politics, may desire to deliberate respecting their industrial and commercial interests. This

liberty will not be limited except by the guaranties which public order requires.

The equilibrium of the budget is secured by a surplus of revenue. In order to attain this result it was necessary to effect economy in the greater part of the public services—amongst others, in the war department. The army being on a peace footing, there was only the alternative of reducing either the regimental cadres or the effective; the latter measure was impracticable, since the regiments hardly mustered the necessary strength of men. The good of the service counselled even their augmentation. By suppressing the cadres of 220 companies, 46 squadrons, 40 batteries, but, dividing the men among the remaining companies and squadrons, we have rather strengthened than weakened our regiments. Natural guardian of the interests of the army, I would not have consented to these reductions, if they had necessarily altered our military organization, or broken the existence of men whose services and devotion I have been able to appreciate.

The addresses from the Senate and the Legislative body, as usual, expressed an unqualified approval of the imperial speech. In his reply to that from the Senate (February 18th), the emperor thus referred to his design to further develop the political institutions of the empire, and thus to "crown" the edifice of the Napoleonic state:

You desire, as I do, stability, the rational and progressive development of our institutions, the amelioration of the lot of the greater number, and the maintenance intact of the national honor and dignity. This accord is a force in the moral as well as the physical world, which obeys general laws that cannot be violated without danger. It is not by daily disturbing the basis of an edifice that its completion (*couronnement*) is hastened. My Government is not stationary; it is advancing, and wishes to advance, but upon firm ground capable of supporting power and liberty.

The proceedings of the Legislature did not present many points of great interest. That body, in the debate on the German question expressed itself very emphatically against the plans of aggrandizement supposed to be entertained by the Government of Prussia. In the discussion of home politics, a considerable number of members of the imperial party joined the Liberal Opposition in expressing a wish for some liberal reforms, and an amendment to the address to this effect received 63 votes. An amendment to the address, proposed by the protectionist party in the Legislative body, was defeated by 190 votes against 35, after M. Rouher had declared that the Government would take into serious consideration the results of the agricultural inquiry going on at that time.

A great sensation was produced throughout Europe by a brief speech made by the emperor at Auxerre, in May. In reply to an address from the mayor of the city, the emperor said:

I see with pleasure that the memory of the First Empire has not been effaced from your minds. Believe me, for my own part, I have inherited the feelings entertained by the chief of my family for this energetic and patriotic population, who sustained the emperor in good as in evil fortune. I have a debt of gratitude to discharge toward Yonne. This department was the first to give me its suffrages in 1848, because it knew, with the majority of the



French people, that its interests were my interests, and that I detested equally with them those treaties of 1815, which it is now sought to make the sole basis of our foreign policy. I thank you for the sentiments you have expressed toward me. Among you I breathe freely, for it is among the working population both in town and country that I find the real genius of France.

The construction generally put upon this speech was, that the emperor was preparing for a great war.

On May 24th, France, in common with England and Russia, issued a circular to the Governments of Austria, Prussia, and Italy, inviting them to a peace conference, to be held in Paris; but on June 3d, the Government declared that in consequence of the reserve made by the Austrian Government, in its reply, the conference itself had become impossible. On June 11th, the emperor wrote the following letter to M. Rouher concerning the attitude to be observed by France in the impending German-Italian war:

PALACE OF THE TUILERIES, June 11, 1866.

MONSIEUR LE MINISTRE: At a moment when all the hopes of peace which we were induced to entertain from the meeting of the conference seem to have vanished, it is essential to explain by a circular to our diplomatic agents abroad the ideas which my Government proposed to submit to the councils of Europe, and the conduct which it proposes to adopt in presence of the events in preparation. This communication will show our policy in its true light. If the conference had taken place, your language, as you know, was to have been explicit; you were to have declared in my name that I repudiated any idea of territorial aggrandizement, so long as the European equilibrium should not be broken. In fact, we could only think of an extension of our frontiers in case of the map of Europe being modified for the exclusive benefit of a great power, and also in the case of the frontier provinces asking by their votes, freely expressed, to be annexed to France. Excluding such circumstances, I think it more worthy of our country to prefer to acquisitions of territory the precious advantage of living on good terms with our neighbors, while respecting their independence and their nationality. Animated by these sentiments, and having only in view the maintenance of peace, I made an appeal to Russia and England to address words of conciliation to the parties interested. The accord established between the neutral powers will yet remain in itself a pledge for the security of Europe. They proved their high impartiality in taking the resolution to confine the discussion in the conference to pending questions. In order to solve these questions, I believe they must be frankly met, stripped of the diplomatic veil which covered them, and taking into serious consideration the legitimate desires of sovereigns and peoples. The present conflict has three causes—the geographical situation of Prussia being ill defined; the wishes of Germany demanding a political reconstitution more conformable to its general necessities; the necessity for Italy to assure its national independence. The neutral powers could not desire to mix themselves up in the internal affairs of other countries. Nevertheless the courts which participated in the constituent acts of the Germanic confederation, had the right to examine whether the changes called for were not of a nature to compromise the established order of Europe. As far as concerns ourselves we should have desired for the secondary states of the confederation a more intimate union, a more powerful organization, a more important part to play; for Prussia, more homogeneity and strength to the north; for Austria, the maintenance

of her great position in Germany. We should moreover have been glad to see Austria cede Venice to Italy for an equitable compensation; for since, in concert with Prussia, and making no account of the treaty of 1852, she made war upon Denmark in the name of German nationality, it appeared to me just that she should recognize the same principle in Italy by completing the independence of the peninsula. Such are the ideas which in the interest of the repose of Europe we should have endeavored to advance. To-day it is to be feared that the fate of arms can alone decide the questions. In the face of these eventualities, what is the attitude of France? Should we manifest our displeasure because Germany finds the treaties of 1815 impotent to satisfy her national tendencies and maintain her tranquillity? In the war which is on the point of breaking out we have but two interests, the maintenance of the balance of power in Europe, and the maintenance of the work to which we contributed in Italy. But is not the moral force of France sufficient for the protection of these two interests? Will she be obliged to draw the sword to make her voice heard? I think not. If, notwithstanding our efforts, the hopes of peace be not realized, we have at least the assurance, from the declarations made by the courts engaged in the conflict, that, whatever be the results of the war, none of the questions in which we are interested will be settled without the concurrence of France. Let us maintain, then, a watchful neutrality, and, strong in our disinterestedness, animated by the sincere desire to see the nations of Europe forget their quarrels, and unite for the advancement of civilization, liberty, and progress, let us wait, confident in our right and calm in our strength.

Hereupon, Monsieur le Ministre, I pray God to have you in His holy keeping.

After the agreement upon the preliminaries of peace between Austria and Prussia, the French Government opened negotiations at Berlin, asking the cession of a part of the Rhine provinces to France, in view of the considerable aggrandizement of Prussia. No official account of those negotiations had been published at the end of the year 1866, but the semi-official *Norddeutsche Allgemeine Zeitung*, of August 11th, contained an article upon the French demand, "by which," it said, "hopes have been raised in France which must be designated as impossible of fulfilment on the part of Germany." "It is difficult," continued the same journal, "to explain the motives for this absurd demand, except by concluding that a total revolution has taken place in the policy of France. Changes in Germany are not questions of an international but purely of a national character, conveying no menace to France, but calculated, on the contrary, to be favorable to the sphere of action of that Power, as by the withdrawal of Austria from the Germanic Confederation, the dimensions of Germany will become considerably narrowed. France cannot possibly look upon changes in the territorial constitution of Germany as a source of danger to her. This thought will assuredly have weight with the French people." A Paris dispatch of August 15th, stated that on that day the emperor received in private audience the Prussian ambassador at Paris, who delivered to the emperor the reply of the Prussian Cabinet to the French note expressing a wish for the rectification of the French fron-



tier. The Prussian Government declared any such rectification to be inadmissible. The emperor, in reply, stated to Count von Goltz that it was in order to satisfy public opinion in France that he had expressed that wish to the Prussian Government. He had considered such a wish just, but acknowledged the fairness of the arguments brought forward by the Prussian Cabinet, and added that the good relations between Prussia and France should in no case be disturbed. In conclusion, the emperor expressed a hope that Prussia would not overstep the line of the Main.

During the peace negotiations between Austria and Italy, the emperor accepted the nominal transfer of Venetia to France, in order to hand it over to Italy subject to the result of a *plébiscite*. The *Moniteur*, of September 1st, gives the following official account of these transactions:

The emperor, in accepting the cession of Venetia, was guided by the desire of contributing to remove one of the principal causes of the late war, and to hasten the suppression of hostilities. As soon as the conclusion of an armistice was decided upon in Italy, the Government of his majesty employed its efforts to prepare the way for the conclusion of peace between the Cabinets of Vienna and Florence. It was necessary to regulate preliminarily the cession made to his majesty by the Emperor Francis Joseph. A treaty to this effect was signed on the 24th of last month between France and Austria, and the ratifications were exchanged to-day (August 31) at Vienna. In virtue of this act, the transfer of the fortresses and territories of the Lombardo-Venetian kingdom will be made by an Austrian commissioner to the French commissioner who is now in Venetia. The delegate of France will then arrange with the Venetian authorities to transfer to them the rights of possession which he will have received, and the populations will be called upon to make their decision on the future destiny of their country. With this reservation his majesty has not hesitated to declare, since the 29th July, that he consented to the union of the provinces ceded by Austria with the kingdom of Italy. The emperor has made known his intentions to H. M. King Victor Emmanuel in the following letter: "MY BROTHER—I have learned with pleasure that your majesty has adhered to the armistice, and the preliminaries of peace signed by the King of Prussia and the Emperor of Austria. It is therefore probable that a new era of tranquillity is about to open for Europe. Your majesty knows that I have accepted the offer of Venetia in order to preserve her from any devastation and prevent useless bloodshed. My intention has always been to restore her to herself, in order that Italy might be free from the Alps to the Adriatic. Mistress of her destinies, Venetia will soon be able to express her wishes by universal suffrage. Your majesty will recognize that in this circumstance the action of France has again been exercised in favor of humanity and the independence of the people. I renew the assurance of the sentiments of high esteem and sincere friendship with which I am your majesty's good brother,"

"NAPOLÉON.

"Sr. CLOUD, August 11, 1866."

On September 2d, the emperor accepted the resignation of M. Drouyn de Lhuys as Minister of Foreign Affairs, and appointed as his successor the Marquis de Moustier, French ambassador at Constantinople. Until the arrival of the latter, the Marquis de Lavalette was

charged with the provisional administration of the department. On September 16th, the Marquis de Lavalette issued the following important circular to the diplomatic agents of France, which was regarded as an entire abandonment of a warlike policy in the political questions of continental Europe:

SIR: The emperor's government cannot any longer defer the expression of its views concerning the events which have just been accomplished in Germany. M. de Moustier being necessarily absent for some time longer, his majesty has directed me to explain to his diplomatic agents the motives which actuate his policy. The war which broke out in Central and Southern Europe has destroyed the Germanic Confederation, and has definitely established Italian nationality. Prussia, whose limits have been extended by victory, is predominant on the right bank of the Main. Austria has lost Venetia, and she is separated from Germany. In presence of these considerable changes all States must be alive to a feeling of responsibility; they ask themselves what is the effect of the recently concluded peace—what will be its influence upon European order, and upon the international position of each power?

Public opinion in France has been excited. It wavers doubtfully between the joy of seeing the treaties of 1815 destroyed, and a fear lest the power of Prussia should assume excessive proportions—between a desire for the preservation of peace, and the hope of obtaining by war a territorial extension. It rejoices at the complete enfranchisement of Italy, but wishes to be reassured in respect of dangers which might menace the Holy Father. The perplexities that disturb men's minds, and which also have their effects abroad, impose upon the Government the duty of stating clearly the light in which it regards the subject.

France ought never to have an equivocal policy. If she be affected in her interests or in her strength by the important changes which are taking place in Germany, she ought to declare it frankly, and should take the measures which may be necessary for insuring her security. If she loses nothing by the pending transformations, she ought to state the fact sincerely, and to resist exaggerated apprehensions and ardent views which, by provoking international jealousies, might divert her from the course which she should pursue. In order to dissipate uncertainties and to establish facts it is necessary to look at what has happened and what is likely to happen in all their bearings. What do we find in the past? After 1815 the Holy Alliance united against France all the peoples from the Ural to the Rhine. The Germanic Confederation comprised, with Prussia and Austria, eighty millions of people; it extended from Luxemburg to Trieste, from the Baltic to Trent, and surrounded us with an iron girdle supported by five Federal fortresses; our strategical position was restricted by the most skilful territorial combinations. The slightest difficulty that might occur between us and Holland or with Prussia on the Moselle, with Germany on the Rhine, with Austria in the Tyrol or the Friuli, brought against us the combined forces of the entire Confederation. Austrian Germany, invincible upon the Adige, could advance at a fitting moment to the Alps. Prussian Germany had an advanced guard upon the Rhine in the minor States, incessantly agitated by desires for political transformations, and disposed to regard France as the enemy of their existence and of their aspirations.

If we except Spain, we had no possibility of forming an alliance on the continent. Italy was parcelled out and impotent; she was not to be counted as a nation. Prussia was neither sufficiently compact nor sufficiently independent to detach herself from



traditions. Austria was too much engaged in preserving her possessions in Italy to be able to effect an intimate understanding with us.

Doubtless, the long prevalence of peace has caused the dangers of these territorial organizations and alliances to be forgotten, for they appear to be formidable only at the time when war is about to break out; but this precarious security France has sometimes obtained at the price of foregoing her position (*rôle*) in the world. It is incontestable that during nearly forty years she has found raised against her the coalition of the three northern courts, united by the recollections of common defeats and victories, by similar principles of government, by solemn treaties, and by sentiments of distrust toward our liberal and civilizing action. If now we examine the future of transformed Europe, what guaranties does it offer to France and to the peace of the world? The coalition of the three northern courts is broken up. The new principle that governs Europe is freedom of alliances. All the great powers are restored to the plenitude of their independence, to the proper development of their destinies. Prussia enlarged, free henceforth in all solidarity, assures the independence of Germany. France should take no umbrage at that. Proud of her admirable unity, of her indestructible nationality, she ought not to oppose or to reject the work of assimilation which has just been accomplished, nor to subordinate to jealous feelings the principles of nationality which she represents and professes in respect of peoples. The national sentiment of Germany being satisfied, her uneasiness is dissipated, her enmities disappear. By imitating France she has taken a step toward and not from us. In the south, Italy, whose long bondage (*servitude*) has not extinguished patriotism, is placed in possession of all her elements of national greatness. Her existence profoundly modifies the political condition of Europe; but, notwithstanding unreflecting susceptibilities or momentary injustice, her ideas, her principles, her interests draw her nearer to the nation which has shed its blood to assist her in conquering her independence.

The interests of the Pontifical throne are assured by the convention of the 15th of September. That convention will be loyally executed. In withdrawing his troops from Rome the emperor will leave in their place as a guaranty for the security of the Holy Father the protection of France. In the Baltic as in the Mediterranean are growing up navies of the second rank, which are favorable to the freedom of the seas. Austria, released from her German and Italian tendencies, employing no longer her forces in barren rivalries, but concentrating them on Eastern Europe, still represents a power with thirty-five millions of souls, which no hostility or interest separates from France. By what singular reaction of the past upon the future should public opinion see, not the allies, but the enemies of France, in those nations enfranchised from a past which was hostile to us summoned to a new life, governed by principles which are our own, and animated by those sentiments of progress which are the peaceful bond of modern societies? A Europe more strongly constituted, rendered more homogeneous by more precise territorial divisions, is a guaranty for the peace of the Continent, and is neither a danger nor an injury to our nation. This nation with Algeria will shortly reckon more than 40,000,000 of inhabitants; Germany, 37,000,000, of which 29,000,000 are in the Northern Confederation and 8,000,000 in the Southern Confederation; Austria, 35,000,000; Italy, 26,000,000; Spain, 18,000,000. What is there in this distribution of European forces which can disquiet us?

An irresistible power—can it be regretted?—impels peoples to unite themselves in great masses by causing the disappearance of minor States. This tendency arises from a desire to assure to the general interests more efficacious securities. Perhaps it may be inspired by a kind of providential anticipation of

the destinies of the world. While the ancient populations of the continent within their restricted territories increase but slowly, Russia and the United States of America may each before another century have expired contain 100,000,000 of inhabitants. Although the progress of these two great empires cannot be to us a source of uneasiness, and while, on the contrary, we applaud their generous efforts on behalf of oppressed races, it is proper that, with a wise foresight in respect of the future, the nations of Central Europe should not remain parcelled out into so many different States, without strength and without public spirit. Political science should rise above the narrow and paltry prejudices of a past age. The emperor does not believe that the greatness of one country depends upon the weakening of neighboring peoples, and sees no real balance of power, save in the satisfied wishes of the nations of Europe. In that he follows his ancient convictions and the traditions of his race. Napoleon I. foresaw the changes which are now taking place upon the European continent. He planted the germs of new nationalities in the Peninsula by creating the kingdom of Italy; in Germany by causing the disappearance of 253 independent States. If these considerations are well founded and true, the emperor was right in accepting the part of mediator, which has not been devoid of glory, in order to put an end to useless and lamentable bloodshed, to moderate the victor by his friendly intervention, to modify the consequences of reverses, to bring about, despite many obstacles, the restoration of peace. He would, on the other hand, have mistaken his great responsibility if, violating a promised and proclaimed neutrality, he had rushed suddenly into all the risks of a great war, one of those wars which revive the hatreds of races, and in which entire nations are engaged. What really could have been the object of such a contest voluntarily entered upon with Prussia, and necessarily with Italy? A conquest—a territorial aggrandizement. But the Imperial Government has long since applied its principles in respect to an extension of territory. It understands—it has understood—annexations dictated by an absolute necessity uniting to the country populations having the same customs, the same national spirit as ourselves, and it sought for the free consent of Savoy and the county of Nice to the reestablishment of our national frontiers. France can only desire those territorial aggrandizements which will not affect her coherent power; but she must always strive for moral and political aggrandizement by employing her influence for the great interests of civilization.

Her part is to cement the union between all the Powers that desire at the same time to maintain the principle of authority and to favor the cause of progress. The alliance will take from revolution the *prestige* which has been claimed for it of furthering the cause of freedom for the people, and will preserve to great enlightened States the wise direction of the democratic movement which manifests itself throughout Europe.

Nevertheless, there is in the emotion which has been evoked in the country a legitimate sentiment which it is right to acknowledge and to define. The results of the last war contain a grave lesson, and one which has cost nothing to the honor of our arms. They point out to us the necessity, for the defence of our territory, of perfecting without delay our military organization. The nation will not be wanting to this task, which can be a menace to no one; it has a just pride in the valor of its armies; its susceptibilities awakened by the recollections of its military pomps, by the name and the acts of sovereigns who govern it, are but the expressions of its energetic will to maintain against all attempts its rank and its influence in the world.

In short, from the elevated point of view from which the Imperial Government regards the destinies



of Europe, the horizon appears to be cleared of all menacing eventualities; formidable problems which ought to have been resolved because they could not be evaded, pressed upon the destinies of populations; they might have been imposed at a more inopportune period; they have received their natural solution without too violent shocks, and without the dangerous coöperation of revolutionary passions. A peace which reposes upon such bases will be a durable peace.

As to France, in whatever direction she looks, she can perceive nothing which can impede her progress or interrupt her prosperity. Preserving friendly relations with all powers, directed by a policy which has generosity and moderation for its strength, relying upon her imposing unity, with her all extended genius, her treasures, and her credit, which fertilize Europe; with her developed military forces, surrounded henceforth by independent nations, she will appear not less great, she will remain not less respected. Such is the language which you must hold in your communications with the Government to which you are accredited. Accept, etc.,

LAVALETTE.

On December 29th, an imperial decree was published abolishing tonnage dues in French ports on and after January 1, 1867, except for vessels of those nations which, like the United States, impose differential duties upon French vessels in their own ports. The report of M. Béhic, Minister of Agriculture, Commerce, and Public Works, which precedes the decree, states that the English Government have undertaken to bring forward in the next session of Parliament a bill for the abolition of local duties of a differential character. By an understanding between the English and French Governments, it was provided that the extradition treaty, which was to have expired on December 4, 1866, should continue in force until the beginning of September, 1867.

On May 26th, the plenipotentiaries of France and Spain signed, at Bayonne, a treaty concerning the definite regulation of the frontier of the Pyrenees.

In September, inundations took place in a large portion of France, causing considerable damage. A report in the *Moniteur* from M. de Forcade la Roquette, President of the Inundation Commission, stated that the number of departments which suffered more or less from the visitation was 31. Not fewer than 1,702 communes were invaded by the floods, and the total loss was estimated at 43,753,234*f.* The commission proposed to distribute at once 3,777,917*f.*, and the Government made for the year 1866 remissions of taxation to the amount of 408,678*f.*

In the *Moniteur*, of December 23d, two official reports were published concerning the Government of Algeria. The first refers to the organization of Mussulman civil tribunals in that country, and is followed by an imperial decree, containing dispositions based on the previous document. The second relates to the lands formerly belonging in common to the Arab tribes and which were constituted into individual property by the *Senatus-Consultum* of April 22, 1863. These the minister recommends should not be liable to seizure for debts con-

tracted previously to their repartition. This report is also followed by a decree, ordering the execution of the measure proposed, and also extending the same protection for a period of five years to the stock and product of the lands in question.

Agreeably to an imperial order, a commission was appointed in October, composed of six ministers, and several generals, and presided over by the emperor himself, to inquire into the advisability of modifying the military organization of the empire. The commission was to seek the means of placing the national forces in a condition to insure the defence of the territory, and maintain the political influence of France. The commission terminated its labors, when the *Moniteur* (December 12th) published the following as the principal features of the plan agreed upon:

It is based upon this consideration—that, in order to maintain her rank in Europe, France ought to be able to set on foot an army of 800,000 men. In this figure are included the recruits exercised in the depots, the auxiliary corps, such as the gendarmerie, the infirmiry staff, the operatives of the administration, the military equipages, and, finally, the non-available, including the men under condemnation and in the hospitals. An equally evident necessity is, that to these 800,000 men must be added a military force for the protection of internal order, and the defence of the coasts and the fortified places while the army is at the frontiers. The problem to be solved was of the most complicated kind. While preserving, in fact, an organization already tested, means had to be found, under grave circumstances, of augmenting our effective force with experienced men, without involving the finances of the State, or imposing too heavy a charge upon the population. At the same time, while proclaiming as a principle of equality and justice, the obligation of every one to defend the country in case of war, it was of importance not to clash violently with the established customs, or divert in times of peace the avocation of the young men intended for the liberal professions. The plan adopted by the high commission satisfied these various obligations. It classes the military forces of France under three categories: 1, the active army; 2, the reserve; 3, the National Guard Mobile. The duration of service in the army, and in the reserve is fixed at six years. The liberated soldiers count three years in the National Guard Mobile. 1st. The active army is composed of engaged and reëngaged volunteers, as well as of men called into the ranks by the annual law of the contingent. 2. The reserve is formed of all the young men of the class who have not been drawn to form part of the annual contingent. It is divided into two equal parts determined by the numbers at the drawing. The first, called the "reserve of the first ban," remains at the disposition of the Minister of War, even in time of peace, to reëngage, if necessary, the effective of the regiments; the second, called "the reserve of the second ban," on the other hand, cannot be called out except in time of war, and by a decree of the emperor, as is the case now with the naval conscription. The two reserves are exercised in their turn in the depots of the army for a period of time more or less long. Marriage is permitted in the reserve as soon as the fourth year of service is accomplished. In order to render less irksome the military instruction of the young men called upon to be exercised in the depots, all those who have learned how to handle and fire a musket at home, and who, in a word, know the school of the soldier, will, on examination, be released from the annual exercises. They will



only be called together to take up arms. 3. The National Guard Mobile, formed of the soldiers of the active army, of those of the reserve who have terminated their *congé*, and of the exonerated, will rarely be liable to be called out. It will be only called out by virtue of a special law, and in the absence of the Corps Législatif, by an imperial decree, which will be converted into law the following session. The National Guard Mobile will cost the State little, because it will be composed in great part of men thoroughly exercised, clothed, and equipped. Some few well-chosen *cadres* will suffice to form a compact and disciplined corps. The service in ordinary times will be scarcely any thing, for it will in great part comprehend only old soldiers who will no longer need to be bound to a painful apprenticeship, and will be freed in time of peace from an irksome obligation. The men of the National Guard Mobile will henceforth, in time of peace, be able to consider themselves as liberated from the burden of conscription. Marriage is authorized at any period of the service. Such is the general plan of the measure. Supposing that out of the 326,000 Frenchmen who every year attain the age of twenty, 160,000 of the most valid are taken, 80,000 men will be left for the active army, and as many for the reserve. Deduction made of the legal exemptions, of ordinary losses, of diminutions of all kinds, each class at the end of six years will give the following results :

Active army.....	417,483 soldiers.
Reserve of the 1st ban....	212,373 “
Reserve of the 2d ban....	212,373 “
National Guard Mobile....	389,986 “

Total..... 1,232,215 soldiers.

The publication produced throughout France the greatest dissatisfaction, and many of the most prominent men of the Conservative party remonstrated against it. The Government, to conciliate public opinion, declared that the plan would be considerably modified.

On December 1st the gold medal, purchased in France by subscription for Mrs. Lincoln, was delivered by the committee into the hands of Mr. Bigelow, at the United States legation. Mr. Bigelow was at the same time requested to take charge of the following letter to Mrs. Lincoln :

MADAME: We are charged to present you with the medal struck in honor of the great man whose name you bear, at the desire of upward of 40,000 French citizens, who wish to manifest their sympathy for the American Union by a tribute of respect to the memory of one of its purest and most illustrious representatives. If France possessed the liberties that America enjoys, it is not by thousands but by millions that the admirers of Lincoln would be counted.

Pray accept, madame, the homage of our profound respect.

*The Members of the Committee* :—Albert, ancien membre du gouvernement provisoire; Arago (Etienne), ancien représentant du peuple; Barni (J.), professeur à l'Académie de Genève; Blanc (Louis), ancien membre du gouvernement provisoire; Chassin (Ch.-L.), homme de lettres; Chauffour-Kestner (Victor), ancien représentant du peuple; Delord (Taxile), rédacteur de l'*Avenir National*; Despois (Eugène), professeur libre; Greppo, ancien représentant du peuple; Hugo (Victor), ancien représentant du peuple; Joigneaux (Pierre), ancien représentant du peuple; Kneip (Louis), ouvrier en pianos; Laurent-Pichat (L.), homme de lettres; Littré, membre de l'Institut; Mangin (Victor), rédacteur en chef du *Phare de la Loire*; Michelet (J.), membre de l'Institut; Pelletan (Eugène), député de la Seine; Quinet (Edgar), ancien représentant du

peuple; Schœlcher (Victor), ancien sous-secrétaire d'état au ministère de la marine, ancien représentant; Thomas (A), ancien directeur du *National*.

In presenting the above letter and medal, M. Albert, member of the Provisional Government of 1848, addressed Mr. Bigelow as follows :

We thank you, sir, for having taken upon yourself to transmit to Mrs. Lincoln the gold medal which French citizens desire to present to her. This medal is a homage rendered to the illustrious President for whom she mourns, a testimony of admiration for the man who immortalized himself in the service of the great Republic of the United States, and a thank-offering due to him from all defenders of liberal and democratic views throughout the world. We are happy to think, sir, that Mrs. Lincoln will receive this medal from your hand, and we beg you to accept the expression of our warm sympathy for the great nation which you have the honor to represent.

Mr. Bigelow warmly thanked the committee for their sympathy with the American Republic. The following is the reply of Mrs. Lincoln :

CHICAGO, January 3, 1867.

GENTLEMEN: I have received the medal you have sent me. I cannot express the emotion with which this proof of the sentiments of so many thousands of your countrymen fills me. So marked a testimony to the memory of my husband, given in honor of his services in the cause of liberty, by those who in another land work for the same great end, touches me profoundly, and I beg you to accept, for yourselves and those whom you represent, my most grateful thanks. I am, with the profoundest respect, your most obedient servant,

MARY LINCOLN.

The most notable features in the foreign policy of France during the year 1866, were the negotiations with the United States, concerning the withdrawal of the French troops from Mexico. The Government of the United States was incessant in urging upon the French emperor a speedy evacuation of Mexico. The French Government, in a note of January 9th, assured the Government of the United States that it hoped that the object of the French expedition would soon be attained, and that it was endeavoring to conclude with the Emperor Maximilian an arrangement which would satisfy the interests and the honor of France, and permit her, at the same time, to regard the mission of the French army in Mexico as terminated. A declaration to the same effect was made by the emperor, on January 22d, in the speech from the throne, on opening the Corps Législatif. On April 5th, the *Moniteur* announced that the emperor had resolved that the return of the French troops should take place in November, 1866, and in May and November, 1867. Subsequently the minister of the United States in France was suddenly informed that the French Government had found it, from military reasons, impossible to withdraw the first instalment of the troops in November, but that it would hasten the evacuation of Mexico, and probably complete it before the time stipulated. In December all the necessary preparations for bringing back the whole of the expeditionary forces were greatly accelerated, and the evacu-



tion of Mexico was expected to take place in the first month of the year 1867. (*See MEXICO.*) In accordance with the Franco-Italian convention of 1864, the withdrawal of the French troops from Rome took place in December, 1866. (*See PAPAL STATES, AND ITALY.*) The execution of several missionaries in Corea led to a naval expedition against that country. (*See COREA.*)

**FRANKFORT.** Until 1866, Frankfort was one of the four free cities of the German Confederation, with an area of forty-three square miles and a population, in 1864, of 91,180. By a decree of the King of Prussia, dated September 20, 1866, Frankfort (with the exception of the districts of Dortelweil and Nieder-Erlenbach, together with 1237 inhabitants, which were annexed to the grand duchy of Hesse) was annexed to the kingdom of Prussia. On October 8th, the Prussians took formal possession of the city.

**FREEDMEN.** As was stated in the *ANNUAL CYCLOPÆDIA* of last year, Congress in February, 1866, passed an act, amendatory to the act to establish a bureau for the relief of Freedmen and refugees, enlarging its powers and the scope of its operations, which was vetoed by the President and failed to become a law. In consequence, the original bureau continued in force, under the administration of General Howard, as commissioner, with no material change of organization. Business has been facilitated and the many vexed questions that constantly arise, have usually been settled with promptness and equity. The jurisdiction of assistant commissioners coincides generally with department and district commands, and while a wholesome supervision has been exercised over the freedmen, such protection has likewise been extended to them as their peculiar condition imperatively required. The importance of self support, has been urged by proper means upon the laboring classes. Wages have been determined, not arbitrarily by orders of bureau officers, but by circumstances ordinarily affecting the price of labor in different localities. There has been but little uniformity of action in different States in respect to the administration of justice, the officers being guided in their decisions by the exigencies of the various cases presented to them. Assistant commissioners have been instructed to transfer military jurisdiction as rapidly as possible to State judicial tribunals. This has been done completely in some of the States, while in Virginia, Louisiana, and Texas, bureau courts are still in existence. A claim division, instituted in March last, and aided by officers and agents throughout the States, has sought to prevent frauds upon colored soldiers, in their efforts to collect unpaid claims; 195 claims were paid through the office of the commissioner; 723 rejected at his office; 1,532 are in process of adjustment. The aggregate amount collected and paid, is \$10,539.09. Transportation has been furnished to 6,352 destitute freed people and 387 refugees. The number of rations issued between

June 1, 1865, and September 1, 1866, was 13,412,263. The average number per month to refugees and freedmen was 894,569; the average number per day, 29,819. The issue to whites increased until June 30, 1866, when issues to freedmen and refugees were about equal. Since September the number supported of both classes has diminished. Rigid scrutiny has been exercised to prevent issues to any but the absolutely destitute, and parts of the ration not actually needed were cut off. Officers have been directed to hold each plantation, county, parish, and town, responsible for the care of its own poor, but to very little purpose, for with few exceptions the State authorities have failed to contribute to the relief of the class of persons supported by the bureau. Upon the application of State officials, special issues have been made to certain States for the support of their pauper population. Rations are sold to teachers, and agents of benevolent societies, under the same rules that apply to such purchases made by commissioned officers. Bureau hospitals receive the usual freedmen's ration. In order, however, that none might be encouraged in indolence, and to encourage industry and thrift among the freedmen, the issue of rations, except in certain cases, was suspended after the 1st October, 1866, in accordance with the recommendation of General Howard, embodied in the following order of the Secretary of War:

WAR DEPARTMENT, BUREAU OF R. F. AND A. LANDS, }  
WASHINGTON, August 17, 1866. }

*Hon. E. M. Stanton, Secretary of War:*

SIR: In view of the fact that charges are constantly made by a large number of prominent citizens in the South and elsewhere that persons are fed by the bureau in idleness, and in consideration of the statements made by the Inspectors, Generals Steedman and Fullerton, implying that the people who labor for support are rendered idle by the promise, or hope, of rations from the Government; and further, considering that the crops are sufficiently matured already to prevent actual starvation, I recommend that, on and after the first day of September next, the issue of rations be stopped, except to the sick in regularly organized hospitals, and to the orphan asylums for refugees and freedmen already existing, and that the State officials, who may be responsible for the poor, be carefully notified of this order, so that they may assume the charge of such indigent refugees and freedmen as may not be embraced in the above exceptions.

Very respectfully, your obedient servant,

O. O. HOWARD,

Major-General, Commissioner.

Approved, to take effect 1st October, August 23, 1866.

E. M. STANTON,

Secretary of War.

Official: JAMES ELDRIDGE, A. A. A. General.

Much of the land assigned to the use of the freedmen before the close of the war, has been restored to its original owners. The amount of land still in possession of the bureau is 272,231 acres. The aggregate number of parcels of town property, not included in the above, which have been in possession of the bureau, is 3,724, of which 2,605 have been restored, leaving a balance of 1,119 parcels of town



property. The expenses of managing the freedmen, and providing for the destitute among them, have been quite large. The following tabular statement, from the last report of the commissioner, shows the financial condition of the bureau.

The balance on hand of the freedmen fund is..	\$282,383 52
The balance of district destitute fund.....	18,338 67
The balance of appropriation.....	6,856,259 30

\$7,156,981 49

The estimated amount due subsistence department is.....	\$297,000 00
The transportation reported unpaid .....	26,015 94
The transportation estimated due.....	20,000 00
Estimated amount due Medical Department.....	100,000 00
Estimated amount due Quartermaster Department.....	200,000 00
	\$643,015 94

Total balance for all purposes of expenditure.. \$6,513,965 55

The commissioner estimates the additional funds necessary for the next fiscal year as follows:

Salaries of Assistant Commissioners, Sub-Assistants, and Agents.....	\$147,500 00
Salaries of clerks.....	82,800 00
Stationery and printing.....	63,000 00
Quarters and fuel.....	200,000 00
Subsistence stores.....	1,500,000 00
Medical Department.....	500,000 00
Transportation.....	800,000 00
School superintendents.....	25,000 00
Buildings for schools and asylums (including construction, rental, and repairs).....	500,000 00
Telegraphing and postage.....	18,000 00
Total.....	\$3,836,300 00

While there are differences of opinion as to the necessity of the bureau and the prudence of its management, it is generally conceded that its large expenditure is not entirely barren of good results. In April, 1866, General Steedman and Fullerton were appointed commissioners by the President to visit the Southern States, and investigate the operations of the freedmen's bureau therein. In accordance with their instructions, they visited all the towns and cities of any importance, and the headquarters of each district of the bureau in several of the States examined, and conversed with representatives of all classes of people, white and black, as well as officers on duty in the military service and in the freedmen's bureau in those States. While the result of their investigations was the disclosure of many irregularities and abuses on the part of officials having the freedmen in charge, it also showed, with equal distinctness, the importance and necessity of some organized provision to meet the wants of this large class of persons, and to put them in the way of providing for themselves. In showing why the negroes need assistance, they report as follows:

A majority of the freedmen to whom assistance has been furnished are undoubtedly able to earn a living if they were removed to localities where labor could be procured. The necessity of issuing rations to this class of persons results from their accumulation in large numbers in certain places where the land is unproductive, and the demand for labor is limited. As long as these people remain in the present localities, the civil authorities refuse to provide for the

able-bodied, and are unable to care for the helpless and destitute among them, owing to their great number, and the fact that very few are residents of the counties in which they have congregated during the war. The necessity for the relief extended to these people, both able-bodied and helpless, by the Government, will continue as long as they remain in their present condition, and while rations are issued to the able-bodied, they will not voluntarily change their localities to seek places where they can procure labor.

The investigations of the commissioners likewise disclosed the fact, that in some instances the freedmen suffered great injustice and wrong at the hands of officers of the bureau, who used their powers and opportunities for their own aggrandizement, and perverted their official prerogatives to selfish ends. The legislation of the various Southern States in reference to the freedmen has greatly enlarged the rights and privileges of that class of persons, and in many respects placed them on an equality with the whites. The marriage relation between persons of color has been recognized and legalized; the right of making contracts, suing and being sued, established, and the criminal laws so extended in their operation as to inflict upon them the same punishment as upon whites. In some of the States the freedmen are allowed to testify as witnesses before the courts in all cases, while in others they can give evidence only against persons of their own color. These are the principal features of legislative action, though there are some minor details, all, however, tending to elevate the condition of the colored people above what it was previous to their emancipation.

Benevolent societies have supplemented to a large extent the efforts of the general government, and the State Legislatures, to improve the moral and social condition of the freedmen. Throughout the Northern States organizations and associations have been established, and are now in active operation, the great object of which is to open schools, employ teachers, give instruction to the freedmen and their children, encourage them in habits of order and industry, render them advice and assistance when requisite, and provide clothing and other comforts for the more destitute. Over 600 schools have been opened, and it is estimated that 150,000 freedmen and their children are now receiving instruction in the Southern States. Of these schools there are 61 in Maryland, 41 in the District of Columbia, 104 in Virginia, 80 in North Carolina, 129 in South Carolina, 31 in Georgia, 29 in Florida, 28 in Alabama, 20 in Mississippi, 6 in Louisiana, 65 in Tennessee, 5 in Kentucky, 8 in Missouri, 10 in Arkansas, and 4 in Kansas, making a total of 609. The teachers in these schools are all supported by the associations, and while they coöperate with the bureau, they do not draw upon its resources. The progress made by the pupils in these schools has been of the most gratifying character, and far more rapid than the most sanguine friends of the system dared to anticipate. Another part of the work of these associations is



obtaining work and homes for dependent freed people, and relieving crowded localities. Much has been accomplished in this direction, provision being made for giving employment to large numbers, who otherwise would have been left in destitution.

In the District of Columbia the freedmen have been invested with the right of suffrage, and they exercised that right, for the first time, on the 25th of February. It was predicted that disturbances would arise on that occasion, but the election passed off in as quiet and orderly a manner as at previous periods.

The present condition of the freedmen, physical and moral, as contracted with their status before their emancipation, is variously esti-

mated. By some it is alleged that suffering, vice, and crime, have fearfully increased among them—that they have been decimated by disease, and are rapidly verging toward extinction; while others assert that in every respect they are greatly improved, and, if allowed, will soon become orderly, industrious, and useful citizens. It is quite evident that the efforts made in their behalf have been as fruitful of good results as any efforts for ameliorating the condition of the ignorant and destitute of other classes; that they have manifested a most promising susceptibility of improvement, and if all that could be desired has not been accomplished among them, enough has been done to renew exertion, and inspire future effort.

## G

**GEOGRAPHICAL EXPLORATIONS AND DISCOVERIES IN 1866.** The progress of Geographical Science during the year was marked not so much by great or startling discoveries as by a steady and almost universal advance of knowledge of all sections of the world, and a clear and satisfactory statement of the discoveries of previous years. Yet, in many respects, the results of the labors of the year are more important in the positive additions made to our knowledge of the earth and its inhabitants than those of some previous years. So complete is the organization of geographical discovery, and so earnest the zeal of the explorers, that though, as in the last year and a half, men, whose names have attained a world-wide reputation, are stricken down by disease, or accident, or fall victims to the ferocity of the savage tribes among whom they have ventured, there is no pause in the work; a new explorer takes up the thread dropped by the dead traveller, and pursues it till the discovery is completed, or he in turn falls a victim to his intrepidity. The loss of men eminent in geographical science since September, 1865, has been remarkably great. Speke, Smythe, Von der Decken, Barth, Siebold, Whewell, Lee, Forchhammer, Hodgkin, Carrasco, Nordenskiöld, the Earl of Donoughmore, Cumming, Schoolcraft, Kupfer, Waterton, and, perhaps, Livingstone, have all completed their career of usefulness and entered upon their reward. Von der Decken and, probably, Livingstone were murdered by the natives of the regions they were attempting to explore, and Du Chaillu and Baker narrowly escaped the same fate. But their places are promptly filled, if not yet in the same field of research, in others of equal interest, and perhaps of still greater peril.

We may as well commence our review of the discoveries and explorations of the year by a statement of a few facts appertaining to general rather than local geography. M. Jules Marcou, a distinguished French geographer and geologist, has undertaken to portray the earth as it existed

in the Jurassic period. His profound attainments in geology, and his capacity for careful generalizations from established data, make this map, which he presented to the *Société de Géographie* of Paris, exceedingly interesting. He finds evidence of the existence of a vast continent deeply indented with bays and gulfs, and dotted with great lakes, surrounded with numerous islands, embracing a considerable portion of the Atlantic and Indian Oceans, and including the Scandinavian countries, the British Isles, considerable portions of Western Europe, the Ural region, part of Asia, Northern and part of Central Africa, a portion of Australia, and the eastern part of North and South America. Beyond it on the west rose a narrow but lofty continent, embracing the Rocky Mountain and Andean ranges, and extending westward, to include, though with large lakes between, some of the Polynesian Islands. The Valley of the Mississippi, and the broad savannas on either side of it, the Gulf of Mexico, and the pampas of South America, formed the bed of a mighty ocean. The land was for the most part grouped about the equator, and, except some small tongues of land, lay wholly within the tropical and the two temperate zones. He gives at considerable length his reasons for these conclusions, which seem satisfactory.

Professor A. Grisebach publishes in the February number of Petermann's *Mittheilungen* an elaborate essay on the geographical distribution of the vegetation of the earth into districts. His first district is that of the Arctic-Alpine Flora, and he makes the northern limit of forest-growth in the country of the Samoi-edes, 67° N. lat.; in Siberia, from the Yenisei to the Lena, from 69° 30' to 71° 30'; in Kamtschatka, 64°; near Behring's Strait, 60°; at Great Bear Lake, 67°; and on the coast of Hudson's Bay, 60° 30'. His second district, the Continental Flora of the Eastern Hemisphere, he divides into ten subdistricts, viz.: 1. The North European and Siberian Flora; 2. The



Mediterranean Flora; 3. The Flora of the Steppes; 4. The Chino-Japanese Flora; 5. The Flora of the Indian Monsoon Region, which he again subdivides into the Flora of the dry Monsoon Climates with their brief rainy season, the Flora of the moist Monsoon Climates, and the Asiatic Equatorial Flora; 6. The Flora of the Sahara; 7. The Flora of Soudan; 8. The Flora of the Kalaban or South Central Africa; 9. The Flora of the Cape Lands; 10. The Australian Flora. His third district, the American Flora, is also divided into twelve subdistricts, viz.: 1. Flora of the North American Forest Regions; 2. Flora of the Prairies; 3. Californian Flora; 4. Flora of Mexico, which is again subdivided into Flora of the warm moist Eastern Coast of Mexico, Flora of the Mexican Highlands, Flora of the Western Coast of Mexico; 5. The Flora of the West Indies, subdivided into the Flora of the Bahamas and the Eastern Caribbean Islands, and the Flora of the Greater Antilles and the Western Caribbean Islands; 6. Flora of South America, North of the Equator, subdivided into the Flora of the Forest Region of the Northern Coast, and the Flora of the Savannas of Guiana and the Llanos of Venezuela; 7. Flora of Equatorial Brazil; 8. Flora of Southern Brazil, likewise divided into the Coast Flora and the Flora of the Plains; 9. Flora of the Tropical Andes, including Flora of the West Side of the Coast range or Cordillera, the Puna Region, and the Cinchona Region; 10. Flora of the Pampas; 11. Flora of Chili; 12. Flora of the Forest Region of the West Coast of the Southern Extremity of S. America. His last grand district is that of the Oceanic Island Flora, and comprises the products of the Islands of the Pacific, Atlantic, and Indian Oceans, remote from the continents, which possess a character of similarity which is extraordinary. These divisions and subdivisions serve to exhaust the different flora of the earth's surface. Professor Grisebach accompanies his essay with an admirable map, colored to represent the different districts and subdistricts.—The British Board of Trade have recently published a table of the mean average temperature and specific gravity of the principal oceans and larger seas of the globe. It is as follows:

	Specific gravity.	Mean temperature.
North Atlantic Ocean as far as 50° north latitude.....	1.02664	71° 56' F.
South Atlantic Ocean as far as 50° south latitude.....	1.02676	66° 66' "
Northern Pacific Ocean as far as 50° north latitude.....	1.02548	69° 94' "
Southern Pacific Ocean as far as 50° south latitude.....	1.02658	67° 70' "
Indian Ocean, from the Equator to 50° south latitude.....	1.02630	69° 28' "
Mediterranean.....	1.0289	67° 30' "
Black Sea.....	1.0143	56° 80' "
North Sea.....	1.0261	
Baltic Sea.....	1.0086	
Red Sea.....	1.0286	79° 30' "
Red Sea north of 20° north latitude....	1.0297	77° 40' "
Red Sea south of 20° north latitude....	1.0272	81° 50' "

The aggregate population of the globe has been the subject of frequent investigation by geographers, and no two authorities, estimating from the data in possession of the scientific, have ever been able to arrive at the same conclusions. The extraordinary discrepancies in their estimates may well excite surprise. In 1787 Busching stated the population of the earth at 1000 millions. This was probably not the result of a careful summing up of the facts then known, but rather a hasty estimate. In 1800, Fabri and Stein estimated it at 900 millions. In 1833, with more abundant data and greater care, Stein and Hörschelmann reduced the aggregate to 872,000,000. In 1858, Dieterici, as the result of a detailed investigation, with very full references to the latest censuses of the principal countries of the world, made the aggregate 1,288,000,000 or 416,000,000 more than Stein and Hörschelmann. In 1865, Kolb, with equal care and extended investigation, gave the amount as 1,220,000,000. In Behm's "Geographical Year Book" for 1866, the sum total, after a carefully detailed statement, is given as 1,350,000,000. These, according to this authority, are distributed as follows: Europe, 285,000,000; Asia, 798,600,000; Australia and Polynesia, 3,850,000; Africa, 188,000,000; America, 74,550,000. The disturbing elements in these diverse estimates are the populations of the countries of Eastern Asia, and those of the greater part of Africa. It is easy for authorities to differ in these 100 or even 200,000,000. The populations of Europe, America, and Australasia, are pretty definitely ascertained.

We turn now to our usual detailed survey of the progress of geographical discovery and exploration in the different countries of the world in detail, and as usual commence with—

I. NORTH AMERICA. 1. *Arctic America*.—The publication of Dr. Isaac I. Hayes' narrative of his explorations in 1860-'1, in search of Sir John Franklin, though late, throws considerable additional light on the geography of the Polar region. Dr. Hayes is an accurate and skilful observer, and his journal and observations possess a high degree of interest. He not only fully demonstrates the existence of an open polar sea, but his observations, in connection with those of previous explorers, define with considerable accuracy the bounds of it on this continent. His views of the universal integrity, truthfulness, and purity of the Esquimaux character, do not fully coincide with those of Captain Hall. The Esquimaux are men of like passions with other savage nations, and though less revengeful and vindictive than the Indians, are, as a rule, thievish, vain, deceitful, and childish. There are individual exceptions, of course, to these traits, as there are to the general faults of the Indian tribes, but the Esquimaux are by no means perfect, even according to their own standard. The various projects for North Polar expeditions from England and the continent, to which allusion was made in the ANNUAL CYCLOPEDIA for 1865, have not, from



one cause or another, been undertaken. The Royal Geographical Society urged upon the British Government the desirability of completing the Arctic researches—not now in further search for Sir John Franklin, for his fate and that of his comrades is very fully ascertained, but to solve the questions of the extent of Greenland to the north, the boundaries of the open polar sea, and various other questions of scientific interest. Their representations were enforced by the great geographical societies of the continent, but the British Admiralty, probably feeling that enough had already been expended, with only negative results, on these expeditions, refused to entertain their application. The German geographical societies, following the lead of Dr. A. Petermann of Gotha, editor of the *Mittheilungen*, attempted to send an expedition to explore the polar regions by way of Spitzbergen, and seemed in a fair way to succeed, but the political troubles, and eventually the war which so materially changed the map of central Europe prevented the execution of their plans. Meantime one of the younger associates of the Royal Geographical Society of London, Mr. Edward Whymper, a member of the Alpine Club, resolved from his own resources to make an expedition along the surface of some of the glaciers of Greenland into the interior of that snow-clad continent, with a view of penetrating to the northern line of Greenland, if possible. Mr. Whymper expected to start upon his expedition during the present spring (1867), and would take with him from Copenhagen an experienced Danish guide. Baron Schilling, a Russian geographer, has proposed, and has perhaps already undertaken, an expedition by a new route to enter the open polar sea. He proposes to enter and pass up Behring's Strait, and advancing, if possible, as far as New Siberia, to follow thence the south-western current, known to exist there, which he attributes to the existence of a vast body of land of triangular form existing in the polar sea, which divides the waters into two currents, the southeastern and southwestern. The southwestern current, reasoning from analogy, will be found moderately free from ice and open for four or five months. The character and extent of this polar sea may be ascertained, and the lands which bound it determined by such an expedition, if it can be conducted with success, but there seem to be serious difficulties to be encountered.

The attempt has been made during the past year to construct the so-called Russo-American telegraph line through Russian America, and it was at one time hoped that it would prove a success, but the parties who undertook it, met with such difficulties in the desolate and mountainous regions into which they penetrated that they considered themselves compelled to abandon the enterprise. It may be undertaken under more favorable circumstances by the Russian government, but this is doubtful.

2. *British North America*.—Little or nothing in the way of geographical exploration has been attempted in the British colonies in North America, during the year 1866. The British astronomers sent out to British Columbia, have reported the latitude and longitude of twenty-one points in that province and Vancouver Island, which they have ascertained with great precision. The most important of these are Fort Vancouver, 45° 38' N. lat., 122° 28' W. lon. from Greenwich; Nisqually, 47° 7' N. lat., 122° 25' W. lon.; Esquimault, 48° 26' N. lat., 123° 27' W. lon.; Colville, 48° 40' N. lat., 118° 5' W. lon.; Tobacco Plains, 48° 57' N. lat., 115° 8' W. lon.; Sumas Prairie, 49° 1' N. lat., 122° 12' W. lon. The attempt has been made, though without complete success, to estimate the amount of forest lands in Canada. The returns give 287,711 square miles of forest lands, not reckoning the dwarf birches, firs, and elms of the Tadousac country. The amount of lumber and timber prepared for market in 1861, was 982,060,145 feet, valued at \$8,621,149. This production has greatly increased since that time, the export of timber and deals to Great Britain alone being, in 1865, of the value of \$7,971,991.

2. In the *United States*, there has been no general geographical survey the past year. The coast survey has been somewhat languidly prosecuted, owing to the hopeless illness of its able chief, who died early in 1867. The geological survey of California has been diligently prosecuted, and has thrown some further light on the altitude and character of some of the higher summits of both the Coast Range and the Sierra Nevada. The construction of the western division of the Pacific Railroad through California, known as the Central Pacific Railroad, has, in the prosecution of the tunnel through the summit of the pass of the Sierra, brought to light the existence of valuable mineral treasures, where their existence had not previously been anticipated. The report of Mr. James W. Taylor, who was appointed by the Secretary of the Treasury, in September, 1866, to investigate the present and prospective of gold and silver in the various fields of the precious metals in the United States, was published in March, 1867. A few facts gleaned from it will be of interest, geographically. The Rocky Mountains proper, which designation does not now include the Sierra Nevada or the Coast Range of California, but only the *Sierra Madre*, or Mother Mountain, from which the two former diverge in Mexico, divides the gold and silver fields of the west into two distinct classes; those on its western slope, and in the Sierra Nevada and Coast Range, in which the placers are large and rich, and the gold-bearing quartz contains gold in a free state, and easily extracted after the quartz is crushed, by the process of amalgamation, and those on the eastern slope, in which the gold is found mainly in perplexing and very intractable combinations with the sulphurets of iron and copper. The veins or lodes are fre-



quently closed suddenly by what is called a cap, or shutting up of the vein by the wall-rock, and this is penetrated with great difficulty, and below it the sulphurous or pyritous ore is reached, perhaps to be again shut off after a time, but the intrusions are less frequent and less formidable as the miners descend. The pyritous ores (i.e., those mixed with sulphurets of iron and copper), contain gold in large quantities, but its ready extraction is a difficult problem, and a new one in mining science. Processes adopted during the year 1866, entirely new, and the result of American investigation and invention, give some promise of solving the problem successfully and cheaply. If they prove successful, Colorado will yield more gold than any other of the mining States. New Mexico gives great promise of becoming the most productive of the silver-mining districts, if she can be freed from the invasions of the Camanches and Apaches, who now render life so insecure in many parts of her territory, and can have railroad communication with the Mississippi Valley. She has also vast stores of superior copper ores in her mountains. Silver is also abundant in Colorado. Montana, the youngest of the western Territories, is immensely productive of the precious metals. Mr. Taylor, with every disposition to be cautious, and discarding the exaggerations of the miners, states the production of gold alone in this young territory, now but four years old, as follows: In 1863, \$2,000,000; in 1864, \$5,000,000; in 1865, \$6,000,000; in 1866, \$12,000,000—an aggregate of \$25,000,000 in four years, while its present population does not much if at all exceed 28,000. Forty-seven quartz mills are erected or in process of erection, and 2,500 lodes, represented to be gold-bearing, have been prospected, and titles recorded. Silver is nearly as abundant as gold, mainly in the form of argentiferous galena. The ore is very rich, many of the assays yielding from \$1,200 to \$1,700 of silver to the ton. Three furnaces for smelting silver are already in operation. Coal, iron, and petroleum are also found abundantly in this territory. Utah is known to possess extensive lodes of argentiferous galena, though the Mormons are averse to their being worked. Coal, iron, and copper are plentiful in the territory. The Black Hills, in Dakota Territory, situated on and near the forty-fourth parallel of latitude, and between the 103d and 105th meridians of longitude west from Greenwich, are now known to be very rich in gold, silver, coal, iron, and copper. This differs from most of the mining districts of the West, in being a heavily timbered region, its vast pine forest covering most of the hill country. The Black Hills cover an area of about 6,000 square miles, and while their general elevation is from 2,500 to 3,500 feet, there are several peaks rising to a height of 6,500 or 6,700 feet above the sea level. The gold is found at the junction of the silurian rocks with the upheaved granite, porphyry, and other metamorphosed azoic rocks. The coal

measures crop out in another portion of the field as a result of the upheaval. On the North Saskatchewan, in the limits of British Columbia, and on the South Saskatchewan, above the boundary of 49°, gold has also been found in very considerable quantities in placers.

In 1865-'66, some islands in Vermillion Lake, Minnesota, about the 48th degree of latitude, were discovered to contain auriferous quartz in considerable quantity. The islands bear traces of volcanic action. This quartz, in numerous assays, yielded gold in quantities varying from \$10 to \$35 per ton. Some gold was also obtained by washing the drift. In Canada two gold fields of considerable extent have been discovered, one at Madoc, near Kingston, in Canada West; the other, on the Chaudiere and its tributaries, near Quebec. Assays show that the quartz rock in the latter yields from \$21 to \$95 per ton. In Nova Scotia there are ten or twelve distinct gold fields of somewhat limited area, one of them not more than five miles from Halifax. The gold is of remarkable purity, averaging 22 carats fine, and much of it free, though associated in the veins with cuprite or yellow copper, malachite, mispickel or arsenical pyrites, zinc-blende, and sesquioxide of iron. The quartz vein is in wavy folds, and not in level sheets, as it usually occurs elsewhere. The average yield for all the districts is about \$30 to the ton of quartz rock, while the maximum at one of the mines (Wine Harbor) has been \$1,000 per ton. This is independent of the great waste which attends the reduction of pyritous ores, with which a considerable portion of the quartz is filled.

The extended and varied experience in mining, gained during the past few years in Colorado, Nova Scotia, Montana, Idaho, Fraser River, Washington Territory, Oregon, Nevada, and California, is now being applied to the development and scientific improvement of the gold fields of the Alleghany range, in Virginia, North and South Carolina, Georgia, and Alabama, and under the active efforts of skilful miners, it is probable that much greater results than have hitherto been attained will be reached. The yield of this extensive gold field for the sixty-two years ending with 1866, deposited in the United States mint and its branches, has been \$19,375,890.80, of which \$16,250,309.17 was from North Carolina and Georgia. At least an equal quantity passed into manufactures or foreign commerce without coinage, making the total yield of the sixty-two years about \$40,000,000, of which fully three-fourths was mined in the twenty years, 1828-1848. Under the improved processes and greater energy of skilled free labor, the production ought to reach within a few years \$20,000,000 per annum.

4. *Mexico*.—The Franco-Austrian occupation of Mexico, now drawing to a close, though hardly entitled to be considered a success in any other respect, has been somewhat fruitful in the geographical and topographical exploration of that country. This has resulted in part



from the necessities of the so-called Imperial Government, and in part from the tendencies of the French officers to signalize their career by a thorough investigation of the character and capacities of the countries in which they are assigned to duty. The Geographical and Statistical Society of Mexico became an efficient scientific body, and the papers addressed to it and read at its sessions, were interesting and important. Among these we note: "Photographs and descriptions of two Aztec figures, sculptured upon a stone which formed a part of the walls of the City of Orizaba;" an elaborate work, in two volumes, entitled "A descriptive and comparative representation of the native languages of Mexico;" statistics of the geography, census, etc., of the department of Vera Cruz; a memoir, with views and plans, illustrating the narrative of the scientific expedition sent by the Government to study the ruins of Metlatoyuca, recently discovered in the district of Tulancingo; statistics of Choapan; a topographical plan of the City of Parras; a notice in regard to the population of the department of Jalisco; geographical and physical details relative to the City of Guadalajara; a hydrographical chart of the river Atoyac, drawn by a government commission ordered to investigate the navigability of the stream; a topographical plan of the City of Monterey; a memoir upon the inundations and droughts of Metztlán, with statistical and geographical notes; statistical notes on the District of Apam; a table of statistics concerning the department of Querétaro; memoir upon the agricultural condition of the district of Huatusco, in the department of Vera Cruz; meteorological observations made at Monterey in 1865, with an indication of the mean temperature of each month of the year; account of national and foreign colonies established in Mexico; notes upon the industry, agriculture, and mines of New Leon, by Señor J. M. Aguilar; description of the principal streams of the island of Carmen; the geographical and statistical state of the empire after the new territorial division by Colonel Soto; report upon the culture of sugar-cane, coffee, tobacco, cotton, and other products, which constitute the principal wealth of Mexico, prepared by a commission designated by the Mexican Geographical Society. All these papers are published by the Society in its Bulletin. From that on the department of Vera Cruz, we take the following statistics: The department is divided into seven districts, seventeen cantons, four principal cities, fourteen towns, and one hundred and fifty-seven villages. The population of the department amounts to 338,148 inhabitants, who are distributed through the seven districts as follows: Vera Cruz, 68,040; Jalapa, 61,244; Orizaba, 55,000; Tuxpan, 46,339; Tampico of Vera Cruz, 39,407; Cordova, 35,458; Jalacingo, 32,660. The department is naturally divided into the low or hot lands, and the temperate or high lands. The population dwelling in the

former is 153,786; in the latter, 184,362. The area of the department is 125,247 square kilometers, and the density of the population 0.69 to the square kilometer. The population of the City of Vera Cruz is 37,040; that of Jalapa, 37,200; that of Orizaba, 15,524; that of Cordova, 4,396. The Abbé E. Domenech, already distinguished by his explorations of the ancient cities and ruins of Mexico, has been very active, during the administration of Maximilian in Mexico, in prosecuting further investigations into the geography and antiquities of the country. In connection with his narrative of a journey undertaken for scientific purposes, from Mexico to Durango, over the elevated table lands of the country, the Abbé gives some important statistics in regard to the City of Mexico, not hitherto accessible. The latitude of the city is  $19^{\circ} 25' 45''$  north; its longitude  $101^{\circ} 25' 30''$  west, from Paris; its altitude, the mean of five observations by eminent physicists, is 2,257 meters=7,602 feet. Water boils at  $98^{\circ}$  centigrade= $208^{\circ}.4$  Fahrenheit. The dryness of the atmosphere causes Deluc's hygrometer to descend to  $15^{\circ}$ ; that of Saussure to  $42^{\circ}$ . The prevalent winds are from the northeast and north. He gives the elevation of Querétaro as 1,846 meters=6,241 feet; that of Guanajuato, 2,191 meters=7,383 feet; Zacatecas, 2,485 meters=8,374 feet; and Durango, 1,928 meters=6,497 feet. A census of Mexico, taken in 1865, and published late in 1866, gives the population of the country as 8,218,080, and the number of square miles as 712,850. The most populous of the fifty departments into which the country is divided, are: Guanajuato, 601,850 inhabitants; the valley of Mexico, 481,796; Puebla, 467,788; Aguascalientes, 433,151; Guerrero, 424,836; and Michoacan, 417,378; the smallest, Lower California, which, with a territory as large as Wisconsin, has but 12,420 inhabitants, and Mapimi, with a territory of the same size as South Carolina, and but 6,777 inhabitants. The population of the valley of Mexico is far more dense than that of any other department, its territory being only about twice the size of Rhode Island, and its population about 192 to the square mile.

5. *Central America*.—Professor Karl von Seebach, who visited Central America in 1864-'5, gives in the "Philosophical Transactions" of Göttingen a very interesting account of the Volcano of Izalco, one of the most remarkable of the numerous volcanic mountains of that land of earthquakes and lava floods. It is situated in the State of San Salvador, about ten miles north of Sonsonate, in  $13^{\circ} 48'$  north latitude and  $89^{\circ} 39'$  west longitude from Greenwich. This volcano and that of Jorullo in Mexico, are the only ones on the Western Continent known to have been formed in modern times. A brief, but generally accurate account of its origin and action up to 1859 is given in the *NEW AMERICAN CYCLOPÆDIA*, vol. ix., p. 671, though its height is there stated inaccurately. Professor von Seebach



measured its height very carefully, and makes it 1,976 English feet above the sea level, while it was only 740 feet above the village of Izalco. The behavior of the volcano since 1859 has been somewhat singular. It was not perceptibly affected by the earthquake of December 8, 1859, which was so severe as to destroy the large stone church of the neighboring village of Izalco; but its eruptions have not been quite so constant since that time, and in 1863 it emitted a considerable stream of lava sufficient to cover the mass of stones and ashes forming its southern slope, as with a mantle. It has now three small craters within the principal crater, one about thirty, one fifty, and another sixty feet in diameter. Professor von Seebach estimates the solid contents of the volcanic mountain at 949,820,000 cubic feet. All this has been thrown up in about seventy-two years. This learned and indefatigable traveller traversed all the Central American States, giving special attention to the numerous volcanoes of the Cordilleras of Central America, and his researches have made us more familiar with the topography and extent of these safety-valves of the continent than those of any previous traveller.

II. SOUTH AMERICA. 1. *The United States of Colombia.* General Mosquera, now for the third time President of these States, has published within the last year a very complete hand-book of the country over which he presides, under the title of "Compendio de Geografía General de los Estados de Colombia." It is accompanied by an atlas of maps, corrected from the surveys of Codazzi and others, under the general's special directions. This work gives a very full and satisfactory account of the present condition of these States. Apropos of the atlas which accompanies this work, M. Elisée Reclus, in a report made to the *Société de Géographie* in August, 1866, gives a sketch of the geographical explorations of Agostino Codazzi, an Italian geographer long resident in Colombia, who was engaged from 1850 to 1856 in surveying and triangulating the territories comprised in the United States of Colombia, and who finally fell a victim to his zeal and devotion in 1856 at Camperucho, in the valley of the Rio Cesar. Judging from M. Reclus' narrative, all that Colombia has of accurate topographical surveys, with the exception of the British surveys of the coast, she owes to Codazzi, whose laborious and careful surveys and descriptions still remain unpublished. In 1855 Codazzi's surveys joined those of Lieutenant Strain on the Isthmus of Darien, though they did not, like his, terminate in disaster.

2. *Peru and Bolivia.*—Mr. E. G. Squier communicates to the London *Athenæum* in February, 1866, his discovery of a lake near Cuzco, in the Andes, which had two distinct and opposite outlets, one flowing into Lake Titicaca, the other into one of the affluents of the Amazon. This lake is situated in 14° 30'

south latitude, 70° 50' west longitude from Greenwich, and is about 14,500 feet above the level of the sea.

Herr Hugo Reck, a German civil engineer, who has for many years been resident in Bolivia, is continuing in Petermann's *Mittheilungen* his descriptive geography of that country. There has been no official census taken since 1845-'6, and in that the number of wild or savage Indians was estimated, though with tolerable accuracy. At that date the Hispano-American population and the partially civilized Indians numbered 1,378,896 persons, and the savage or independent Indians were estimated at 760,000, making a grand total of 2,138,896 for the whole population of the Republic. Senor Ondarza, who published a map of the country in 1859, made his estimate of the population in 1858 from the returns of the provinces, and put down the population, except the savage Indians, at 1,742,352 persons, while, according to time, the number of savages had fallen off to 245,000, giving a grand aggregate of 1,987,352. Still later, in 1861, in an "Essay toward the History of Bolivia," by Manuel José Cortés, published at Sucre (the Capital of the Republic) in 1861, the entire population is stated at 2,236,116 persons. The population of the several departments is not given by Cortés, but Ondarza states them, in 1858, as follows: La Paz, 475,322; Cochabamba, 349,892; Potosí, 281,229; Chuquisaca, 223,668; Omro, 110,931; Santa Cruz, 153,164; Tanja, 88,900; Veni, 53,973; Atacama, 5,273. The area of the Republic is stated by Herr Reck as 843,307 square miles. The Republic is divided into nine departments, and has 12 capital cities, 35 other cities, 282 small towns or villages, 2,755 hamlets, and 7,823 isolated farms or ranches. The population averages about 2.9 to the square mile.

The attention of geographers has, during the past two years, been largely attracted toward Brazil, where three separate expeditions have been engaged in exploring some of its great rivers. Professor Agassiz, with a corps of able assistants, explored the lower Amazons, mainly for the purpose of ascertaining the new genera and species of fishes, radiates, mollusks, and zoophytes therein contained, though with general reference also to the animals and plants which inhabit its shores, and the geology and paleontology of the region. Mr. W. Chandless, an English traveller and geographer, made two exploring tours, at his own expense, with competent assistance, up the Purús, one of the largest tributaries of the upper Amazons, to near its source, with a view of ascertaining whether there was, as reported, a navigable or practical communication between the waters of the Atlantic and those of the Pacific through the supposed connection between this river and the Madre de Dios, a river of Southern Peru, having its sources in the Andes, and discharging its waters into the Pacific. A third expedition, undertaken somewhat earlier, at the direction of the Brazilian Government, but not published



until 1866, was that of M. Liais, a French engineer, to explore the Rio San Francisco, one of the most important rivers of Southern Brazil, which passes for nearly a thousand miles through the province of Minas-Geraes, the great mining and diamond district of Brazil.

Professor Agassiz spent ten months on the Amazons and its tributaries, and, either in person or by members of his corps, explored most of its larger tributaries, penetrating to the boundaries of Peru. He also explored some other portions of the empire. He has added materially to our knowledge of this mighty river and the broad valley or plain through which it flows. The remarkably level region through which the Amazons passes is an interesting feature, and one which makes it eminently a highway of the nations. In a distance of 3,000 miles from its mouth the elevation is only 210 feet, less than nine inches in ten miles. Owing to this fact, and to its great breadth and depth, it is navigable for the largest steamers for a greater distance than any other river on the globe. Some of its tributaries, especially those on the south, at a distance of four or five hundred miles above their junction with the Amazons, have rapid cataracts or falls; but far beyond the boundaries of Peru the main river has none. Professor Agassiz states that the river bears three different names in different parts of its course: from the mouth of the Rio Negro to the Atlantic it is the Rio Amazonas or Amazons; from Tabatinga, on the borders of Ecuador, through the territory of Ecuador, and to the mouth of the Rio Negro, it is called the Solimões or Solimœns; that portion of the river above Tabatinga, from its source in the Andes downward, is called the Marañon. The Amazons, throughout the greater part of its length, at least to the junction of the Napo in Ecuador, varies very little, not more than two or three degrees from a due west to east course, and is therefore almost wholly in the same latitude; this is not the case with any other river of the first class. All the other great rivers of the world pass over many degrees of latitude, and are of course in different climates in different portions of their course. The Amazons is wholly within the tropics, and within three or four degrees of the equator; but it is not on this account so hot and sickly a climate as would be supposed; the average temperature of the year is 84° F., the extremes 72° and 92°, and the climate is very healthful. The waters of the river are turbid and of a milky color, from the white clay which they hold in suspension. The tributaries which rise in the mountains are all of this milky color; but those which rise in the woody plains have their waters black, or rather of a dark amber color, or, in some cases, of a deep green. The Rio Negro derives its name from this dark color of its waters. The vegetable life of the valley of the Amazons is abundant, almost excessive, but it is peculiar. The palms are very abundant and of great variety. The lianas or parasitic plants are exceed-

ingly numerous, and many of them belong to the orchid family. The fruits, instead of being as with us of the rose family, are almost all myrtles. The variety of beautiful and durable woods is very great, several hundred species fit for ship-building, for furniture, and for building houses having been observed. One hundred and seventeen distinct species, all of excellent quality, were procured from a lot half a mile square. The aromatic and medicinal trees, plants, and shrubs, abound. The cinchona, the india rubber, the pepper, and other valuable trees, are found in large tracts. Animal life is equally abundant. Previous to his visit to Brazil, but little over one hundred species of fishes were known to exist in Brazil. During his stay he discovered over eighteen hundred new species, many of them belonging to genera and classes elsewhere unrepresented. Among the quadrupeds there were many new species. There were about sixty species of monkeys, all differing from those in other parts of the globe in having prehensile tails. The intercommunication throughout this whole region, the professor thinks, must be always by water; fast steamers can, in consequence of the interlacings of the rivers, visit almost every portion of the valley of the Amazons, and the annual floods will not permit in that region of any extended railroads.

Mr. Chandless's exploration of the River Purús was deemed of so much importance and value that he was presented by the Royal Geographical Society with the founder's medal. The Purús is one of the southern affluents of the Amazons, discharging itself into that river by four mouths, near the 61st meridian west from Greenwich. Repeated attempts had been made to explore it previously, by commissions from the Brazilian Government, but they had proved failures. Mr. Chandless, however, succeeded, with a crew of Bolivian Indians, in ascending it for 1,866 miles, or to within about 20 miles of its source, and mapped it accurately. He found the river very tortuous in its course, but unobstructed by rapids, and navigable about to its source. The Madre de Dios, the Peruvian river, proved not to be the head waters of the Purús, that river having its source two degrees farther north. The small tribes of Indians near its sources had never been in communication with the semi-civilized tribes lower down, and still used their primitive stone hatchets. They had dogs, but no fowls. Tapirs and capibaras were extremely numerous in this remote solitude, and very tame. As Mr. Chandless approached the sources of the stream, the river forked, and both forks were obstructed by rocks and rapids. the farthest point reached on the north fork was 10° 36' 44" south latitude; 72° 9' west longitude from Greenwich. On the south fork, 10° 52' 52" south latitude; and 72° 17' west longitude. The height above the sea level was at this point 1,088 feet. In a second voyage Mr. Chandless explored the Aquiry, the principal branch of



the Purús from the southward, in order to ascertain whether there was any connection between this and the Madre de Dios, but again found there was none. Professor Agassiz states that some members of his corps ascended the Purús, and, about five hundred miles from its mouth, found an affluent connecting it with the Madeira.

M. Liais, in his exploration of the Rio San Francisco, brought to light much that was of interest and importance concerning it. The river had generally been reputed to be about 1,350 miles in length. He demonstrated that the main stream was 1861 miles in length, and that some of its affluents extended even farther south than the principal stream. At a little more than 200 miles from the sea it passes through a defile of granite, whose walls tower high above it on both sides, and at 192 miles from the sea it leaps in three successive cataracts over the granite barrier two hundred and eighty-three feet. The principal of these falls (the lowermost or nearest the sea) is two hundred and two feet in height. Though narrower than the cataract of Niagara, the volume of water is nearly or quite as great as that of Niagara, and the fall more than fifty feet farther. M. Liais, who has witnessed both, thinks the fall of the San Francisco grander on a close approach, though not so impressive when seen from a distance. The cataracts bear the name of Paulo Alfonso. For sixty or seventy miles below these falls, and for nearly two hundred above them, the channel of the river is obstructed by rapids and rocks, but for a distance of 125 miles from the sea to its mouth the river is placid and majestic in its flow, and well adapted for navigation by the largest vessels. For nearly 200 miles above the falls the obstructions are numerous, but above these it is navigable for large steamers for nearly a thousand miles. In this part of its course it receives numerous affluents, the most important of which are the Rio das Velhas, the Paracatù, and the Rio Grande. After receiving the last-named tributary the San Francisco is about one and one-fifth miles in width. The extreme upper portion of the river is rocky and obstructed by rapids; but the thousand miles of continuous navigable waters traverse the province of Minas Geraes, the principal diamond and gold region of Brazil, and this can be more effectually opened to commerce by a railroad starting from the rapids or falls in the river, and extending to Bahia or Pernambuco, and running in connection with steamers on the San Francisco, than by any other route. The country M. Liais represents as wonderfully beautiful, and possessing a delightful climate. The gold mines of Minas Geraes are, like those of Colorado, combined to a considerable extent with iron and copper pyrites, and though exceedingly rich, yield but a small return to the miners by the rude processes hitherto adopted. The search for diamonds is so uncertain in its results, that it is almost a lottery. After working for a year

without success sufficient to defray expenses, the contractor may suddenly come upon a few diamonds of such value as to make him rich at once. Diamonds are not, as is usually supposed, found in a *gangue* of talcose quartz or itacolomite, but in serpentine or micaceous rock.

The returns of population in Brazil, taken in 1865, and published in 1866, give the population of the empire as 9,106,000. This is, we suppose, independent of the savage Indian tribes, whose numbers can only be estimated from very imperfect data. This population is distributed among the provinces in the following proportions in round numbers: Amazonas, 70,000; Para, 250,000; Maranhão, 400,000; Piauí, 175,000; Ceará, 486,000; Rio Grande do Norte, 210,000; Paraíba, 260,000; Pernambuco, 1,180,000; Alagoas, 250,000; Sergipe, 250,000; Bahia, 1,200,000; Espírito Santo, 55,000; Rio de Janeiro, 850,000; the city of Rio Janeiro, 400,000; São Paulo, 800,000; Paraná, 100,000; Santa Catharina, 120,000; Rio Grande do Sul, 420,000; Minas Geraes, 1,350,000; Goyaz, 200,000, and Matto Grosso, 80,000.

*Buenos Ayres.*—Herr Burmeister, a German geographer, for some years resident in the city and State of Buenos Ayres, communicated in 1866 to Professor Dove, of Berlin, a very elaborate article on the climatology of the country, based on four years' observations. Buenos Ayres, being in the South Temperate Zone, has its winter during the months corresponding to our summer, and its summer during our winter months. We can only give the maximum and minimum of the thermometer and barometer during the different seasons of each year, omitting many valuable statistics of the climate in Herr Burmeister's dissertation. The maximum temperature in January, 1862, was 93° Fahrenheit; in January, 1863, 95°; in January, 1864, 94°; in January, 1865, 86°.4. The minimum temperature of the same month was in 1862, 59°; in 1863, 51°.4; in 1864, 60°; in 1865, 60°.3. In February, 1862, the maximum was 93°.9; in 1863, 88°; in 1864, 93°; in 1865, 90°. The minimum for the same month in 1862 was 52°.2; in 1863, 56°; in 1864, 59°.3; in 1865, 57°.6. In April, 1862, the maximum was 83°.8; in 1863, 81°.2; in 1864, 84°.2; in 1865, 87°.2. The minimum for the same month in 1862 was 47°.8; in 1863, 39°.2; in 1864, 39°.2; in 1865, 43°. In May, 1862, the maximum was 73°.6; in 1863, 71°.6; in 1864, 73°.4; in 1865, 65°.3. The minimum for the same month in 1863 was 43°.2; in 1863, 36°.5; in 1864, 41°; in 1865, 38°.8. In July (a winter month), 1862, the maximum was 64°.8; in 1863, 62°.4; in 1864, 57°.4; in 1865, 63°.5. The minimum for the same month in 1862 was 28°; in 1863, 33°.8; in 1864, 32°.4; in 1865, 30°.9. In August, 1862, the maximum was 64°.6; in 1863, 73°.4; in 1864, 73°.4; in 1865, 66°.2. The minimum for the same month in 1862 was 32°; in 1863, 35°.6; in 1864, 34°.5; in 1865, 33°.1. In October, 1862, the maximum was 70°; in 1863, 78°.3; in 1864, 75°.6; in 1865,



78°. The minimum for the same month in 1862 was 39°.4; in 1863, 40°.1; in 1864, 48°.6; in 1865, 43°.2. In November, 1862, the maximum temperature was 86°.1; in 1863, 95°.2; in 1864, 86°; in 1865, 89°.4. The minimum for the same month in 1862 was 47°.8; in 1863, 46°.6; in 1864, 53°.2; in 1865, 41.

The maximum height of the mercury in the barometer, according to the scale of Celsius, was in January, 1862, 768.2; in 1863, 768.3; in 1864, 765.6; in 1865, 769.4. The minimum height for the same month was, in 1862, 755.5; in 1863, 751.0; in 1864, 752.0; in 1865, 753.8. In April the maxima for these respective years were 771.1, 762.3, 768.2, 770.0; and the minima for the same month, 745.0, 753.0, 753.0, 753.0. For July the maxima were 774.9, 772.0, 774.4, 771.6; and the minima, 756.4, 751.4, 758.4, 750.0. In October the maxima were 772.8, 770.0, 769.0, 770.0; and the minima 755.1, 755.7, 755.5, and 753.0.

*Chili*.—In the province of Valdivia, in the south of Chili, there is a portion of the Andes which, from the entire absence of the forests which elsewhere cover the slopes of the mountains up to near the snow line, has received the name of "*Cordillera Pelada*," the "treeless cordillera" or "bald mountain." This mountainous region was explored in the autumn of 1865 by Frederick Philippi, a Chilean naturalist and botanist. He found a few small trees on the lower portion of the slopes, mainly laurel and beech, but a great profusion of herbs and flowering plants, many of species not hitherto described. Two lakes, the lake of the Barriers, and the Fernwater, high up in the mountains, were surrounded with this new sub-alpine flora, in which, as in most of the South American countries, plants of the myrtle family predominated.

The boundary line between Chili and Bolivia had been long a fruitful occasion of controversy between the two countries, and in 1863 had nearly culminated in war. This was amicably settled in 1866 by a boundary treaty. The region of the disputed boundary on the mainland was of very little value, being a waterless desert, reputed to have some veins of copper and immense beds of nitrate of soda, but so utterly devoid of moisture that it was uninhabitable. The Mejillones islands, rich in guano, lie off the coast, between the 23d and 25th parallels of south latitude, and to the product of these both countries laid claim. The treaty makes the parallel of 24° south latitude the boundary, and gives the right of sovereignty over the Mejillones to Bolivia, but provides that one-half of the net proceeds of the sale of guano from them shall be paid yearly to Chili.

III. THE ATLANTIC OCEAN AND ITS ISLANDS. —Captain Henry Toynbee, a member of the Royal Geographical Society, who had already prepared a memoir on the temperature, specific gravity, etc., of the seas between England and India, has supplemented that memoir by a paper detailing further observations on these

topics made in 1860-'66. These observations made in six different voyages demonstrate the following facts: 1st. That a tract of the Southern Ocean and the Southern Atlantic, extending west and southwest of the Cape of Good Hope from south latitude 35° to 40°, and east longitude from Greenwich from 0° to 14°, is remarkably cold, the temperature ranging from 60° Fahrenheit to 47°, and that in either direction from this tract the temperature rises. There are considerable variations in the temperature of the water outside of these limits, due apparently to an under-current of cold water which forces itself to the surface at certain points; thus, in August, 1860, in 40° south latitude, and 23° east longitude, nearly south of the cape, he found the temperature 67° F., whereas, in August, 1863, at the same place, it was 55° F. 2d. The specific gravity of these cold waters is 1.028 to 1.027, decreasing a little as we proceed toward the southeast. In the Mozambique current, farther east, the specific gravity decreases to 1.0245, while the temperature rises to 76° F., varying a little, however, in different months, being 1.0255 in February, and 1.0245 in March; but the decrease in specific gravity indicates, long before the appearance of the sky or the wind does so, the near approach to the rainy doldrums, in which the specific gravity of the water ranges from 1.026 to 1.022. The same change occurs in the South Atlantic as the navigator approaches the equator. The specific gravity in the Sea of Sargasso being 1.0228, and the temperature of the water as high as 83° F. 3d. The boundaries of the cold waters seem very accurately defined; for, in passing the 15th meridian east from Greenwich in latitude 39° south, Captain Toynbee invariably came suddenly upon water at a temperature of 60° to 63° F. When a mile or two west it had been 47°; this gradually increased to 67 in 19° to 23° east longitude. In 38° south it commenced a little farther west, and in 40° south a little farther east. In 40° south latitude and 50° east longitude (from Greenwich) a little to the southeast, and about 900 miles south of Madagascar, the captain came upon another considerable patch of cold water, surrounded on nearly all sides by warm water, and extending over 10 or 12 degrees of longitude. The temperature of this tract was 44° F., and sometimes even lower. The seas are usually very high where these hot and cold waters meet.

Professor Karl von Fritsch, a German geographer, published in Petermann's *Mittheilungen* for July, 1866, an elaborate paper on the meteorology of the Canary Islands, the result of protracted observations made by himself in 1862 and 1863. On the north coast of Madeira, in August, 1862, the mean temperature was 80°.5 F. The daily fluctuation was 16°.6 F.; the minimum of the month at mid-day was 73°, and the maximum 89°.6. At the height of 1,000 to 2,000 feet the mean temperature of the month was 77°.7; the mean daily fluctua-



tion was  $20^{\circ}$ ; the minimum temperature of the month at noonday was  $69^{\circ}.5$ , and the maximum  $89^{\circ}$ . At the height of 2,000 to 4,000 feet the mean temperature of the month of August was  $68^{\circ}$ ; the mean daily fluctuation  $19^{\circ}.3$ ; the minimum temperature of the month at noonday  $60^{\circ}$ , and the maximum  $77^{\circ}.8$ . In Teneriffe, at the Villa de Orotara, 1,260 feet above the sea-level, the mean temperature in September, 1862, was  $75^{\circ}$ ; the mean daily fluctuation  $16^{\circ}.6$ ; the maximum temperature of the month at noonday  $67^{\circ}.8$ ; the maximum  $85^{\circ}$ . On the same island, at the height of 7,500 feet, the mean temperature was  $70^{\circ}$ ; the lowest temperature of the month at noonday  $58^{\circ}.1$ ; and the highest  $83^{\circ}.3$ . In the Cañadas, or highest inhabited portion of the peak, about 11,250 feet above the sea-level, the mean temperature was  $59^{\circ}$ ; the mean daily fluctuation  $34^{\circ}.6$ ; the lowest temperature of the month at mid-day was  $41^{\circ}.5$ ; the highest  $78^{\circ}.3$ . At Palma, in Santa Cruz, in October, 1862, the mean temperature of the month was  $78^{\circ}.3$ ; the mean daily fluctuation  $11^{\circ}.5$ ; the lowest temperature of the month at noonday  $73^{\circ}$ , and the highest  $84^{\circ}$ . On summits varying from 3,000 to 6,500 feet, the mean temperature for October was  $54^{\circ}.5$ . At lower summits, on the same island, from 1,000 to 3,300 feet above the sea, the mean temperature of the same month was  $76^{\circ}.8$ ; the mean daily fluctuation  $25^{\circ}$ ; the lowest temperature of the month at mid-day  $67^{\circ}.5$ ; the highest  $89^{\circ}.9$ . At Palma, in November, 1862, the mean temperature of the month was  $72^{\circ}.9$ ; the mean daily fluctuation  $12^{\circ}$ ; the lowest temperature of the month at noonday  $67^{\circ}$ ; the highest  $78^{\circ}.8$ . In January, 1862, at Hiero, near the sea-level, the mean temperature of the month was  $70^{\circ}$ ; the lowest temperature of the month at mid-day  $63^{\circ}.5$ ; the highest  $76$ . In Golfo, about 1,000 feet above the sea, the mean temperature for January was  $63^{\circ}.5$ ; the minimum at noonday  $57^{\circ}$ , and the maximum for the month  $72^{\circ}.5$ . At Valverde, about 2,400 feet above the sea, the mean temperature for January was  $61^{\circ}.2$ ; the minimum for the month at noonday  $57^{\circ}.4$ ; and the maximum  $67^{\circ}.5$ . The mean daily fluctuation for the month  $13^{\circ}.4$ . The statistics of the temperature of these islands afford the best guide to invalids who are seeking a mild and equable island climate as to the location best adapted to their condition.

IV. EUROPE. 1. *Great Britain*.—The admiralty surveys of the British Islands have been prosecuted during the past year with commendable zeal, the western coast of Scotland and the Hebrides, the Sound of Mull, Cardiff Roads and its neighborhood, the Downs, Yarmouth, and Lowestoft Roads, the coast between Winterton and Southwold, the neighborhood of Spithead, and the bar of Portsmouth Harbor, the Medina River at Cowes, and a part of the Channel Islands, having been carefully surveyed. British officers and war-vessels have

been also engaged in surveys in almost all the waters of the globe. In the Mediterranean, Captain Mansell and Commander Wilkinson have been engaged in making accurate maps of the coasts and islands of the Grecian Archipelago. The coasts of China and Japan, the Islands of Formosa and Labuan, and a part of the coasts of Java and Borneo, have been explored by Commanders Bullock and Ward and Masters Wilds and Stanley. Colonial surveys have been made in Nova Scotia, Newfoundland, and the West Indies, British Columbia, South Africa, New South Wales, Queensland, Victoria, and South Australia. The British Ordnance Survey Office is very actively engaged in the preparation and publication of extensive and complete maps of the British Islands, the results of its long and carefully executed topographical surveys. It has published a map of England in 110 sheets, one of Scotland in 120 sheets, and two of Ireland in 205 sheets. It has also a map of England in preparation on a scale of six inches to a mile, of which 2,994 sheets have already appeared. A parish map of England and Scotland, on a scale of a little more than 25 inches to the mile, is also in progress; of which 13,857 sheets have already been published. The Ordnance officers have, besides these, prepared plans of 165 cities on scales of one, two, five, or ten feet to the mile, and have published 2,376 sheets of these. The plan of London, on a scale of five feet to the mile, occupies alone 819 sheets.

2. *France*.—R. A. Peacock, Esq., a member of the Royal Geographical Society, London, and a resident of the Island of Jersey, has been engaged for some years past in investigating the westerly coasts of France and its islands, with a view of ascertaining the amount of the losses of land on these coasts by the irruption of the sea within the historical period, and has forwarded an interesting memoir to the society, giving the result of his inquiries. He finds evidence of vast losses of territory, at numerous points, particularly in St. Owen's Bay, Jersey, near St. Heliers, and in St. Aubin's Bay, the Ecrechou and Direou Isles, on the Norman coast, on the north and northwest coast of Contances, in the Bay of Mont St. Michael, and near St. Malo, in the Forest of Scisey, where a town and several monasteries were carried away by the sea, and on the coast of Guernsey.

Dr. Carl Vogel has published, during the past year, an admirable topographical map of the Thuringian Forest, on a scale of 1 to 150,000, and special maps of portions of it on a scale of 1 to 60,000. On these maps the colors are so deepened as to indicate the elevation of each portion, and give a clear idea of the surface, highways, etc. Nothing can be more admirable in execution than the maps of this description and those of physical geography, for which the German geographers are famous. The Thuringian Forest is completely represented on these maps; in its hills and valleys, its rocks and forest tracts, and its character of soil and



surface is more fully detailed than it could be by a volume of description.

Dr. Thomas Petersen, a Danish naturalist, explored in 1865 the Austrian Alps, and ascertained the highest of the principal peaks. His measurements of some of the Orteler and Adamello groups were given in the volume of the *ANNUAL CYCLOPÆDIA* for 1865; but his full report, in regard to the entire Austrian Alps, was not made public until some time in 1866. He divides these mountains into seven groups, which he names: the Orteler group; the Adamello group; the Ötztal group; the Stubai group; the Zillerthal group; the group of the Tauern heights; and the Marmolada group. The Orteler group has 22 summits above 10,000 feet in height; and of these the Orteler Peak is 12,356 Vienna feet=11,586 American feet in height, and Mount Zebbru, or the King's Peak, 12,195 Vienna feet=11,435 American feet. The Adamello group has 13 summits above 10,000 Vienna feet in height; of which four exceed 11,000 Vienna feet; viz., Mount Adamello, Mount Falcon, Como Bianco, and Presanella. The Vienna foot is about .07 less than the American foot. The Ötztal group has 28 peaks, about 10,500 Vienna feet, half the number ranging from 11,000 to 12,000 feet. The Stubai group has but eight summits rising about 10,000 feet, and only two above 11,000 feet. The Zillerthal has ten peaks over 10,000 feet, and two of them above 11,000 feet. The Tauern group has 26 lofty summits, all above 10,000 feet, and one-half the number exceeding 11,000, while the Great Glockner rises about 12,000, and the Little Glockner is but 46 feet lower. The Marmolada group has nine summits above 10,000; and one, the Marmolada di Penia, 11,056 feet in height. Here then in this cluster of mountain groups, known as the Austrian Alps, we have 116 summits rising above 10,000 feet, and 38 of them above 11,000 feet, while three exceed 12,000 feet. Five of the Swiss Alpine peaks are higher than any of these, but nowhere else in Europe is there so great a number of peaks of uniformly high elevation.

Mention was made in the *ANNUAL CYCLOPÆDIA* for 1865 of the appearance of a new volcanic island in the Ægean Sea, the date of which was not then very satisfactorily ascertained. It now appears that the appearance of this addition to the previously formed volcanic island group was within the year 1866. The ancient Thera, now Santorino, is the largest of a cluster of islands in the Ægean Sea, and it and the adjacent isles of Therasia and Aspronisi are simple segments of the former rim—the now broken edge—of a volcanic crater of immense size, being six or seven miles in diameter, and of great depth. Portions of this crater have at different periods within the last 2,000 years been subject to renewals of volcanic activity. The oldest of these, which resulted in the formation of a volcanic island, named Palæo Kaimeni (or old burnt island) occurred in the year 197 B. C. In 1573, a sec-

ond and smaller island, called Mikro (or little) Kaimeni appeared within this crater, and has still the remains of an old crater in it. In 1650 another island appeared on the northeast coast of Santorino, but it soon sank. In 1707 another little island, called Neo (or new) Kaimeni, rose to the west of Santorino, and between Palæo and Mikro Kaimeni, and attained a height of about 250 feet, and a circumference of a mile. The surface was more or less disturbed around this spot for six years, finally terminating its volcanic action in 1712. In the century and a half since that period, there has been little marked volcanic action, save that in the commodious harbor formed by the old crater of Santorino, and called the Bay of Exhalations, it has been a well-known fact that there were mineral springs, which contained sulphuric waters, and that the acid gases from these were sufficiently active to cleanse in a few days the foul copper bottoms of ships of all their impurities. On January 26, 1866, volcanic action again commenced with considerable violence; a portion of the island of Neo Kaimeni, called Cape George I., where was a small village, called Vulkano, bathing-houses (for the mineral waters), and a chapel, began to subside slowly, finally being covered to the depth of three feet or more. The passage between Palæo and Neo Kaimeni began to rise till from a depth of 70 fathoms it was less than 12 fathoms, a new island called Aphrœssa (from a Greek war vessel, which was in port during a part of the eruption, and narrowly escaped destruction from the falling stones and lava blocks) rose to the southwest of Neo Kaimeni, and finally increased till it joined that island, and at another point in the southeastern portion of Neo Kaimeni, the volcanic action enlarged and elevated the island. The volcanic discharges, for a period of five months, were very great and intense in their character, but in June they seemed to be gradually subsiding, and late in the season showed no signs of return.

The measuring of an arc of latitude, which has been for some years in progress in Europe, is not yet completed, though there is little except the verification of the surveys yet to be accomplished. The 47th parallel, which was the one first selected, has been abandoned, and the 52d selected, and the portion to be measured extends from Valentia, on the west coast of Ireland, to Orsk, on the river Ural, in Eastern Russia. Saratov was reached at the close of 1865, and Orsk about the close of 1866.

V. ASIA. *Asia Minor*.—Considerable addition has been made during the past year to our minute knowledge of Palestine, by the labors of careful explorers from England and France, but the results of their surveys are not yet fully before the public. The flora and fauna of the valley of the Jordan (which, it will be remembered, in its lower portion, is far below the level of the Mediterranean), have been carefully examined, and found to be of a tropical character.

*Persia*.—Russian geographers have recently



taken soundings in different portions of the Caspian Sea, and find that the northern half is much shallower than the southern. The greatest depth of the former, at a distance from land, is 900 feet, while that of the latter is 3,096 feet in  $30^{\circ} 1'$  N. latitude, near the island Kurinski.

*Siberia.*—The Russian explorers are actively engaged in developing the hitherto unknown portions of this vast territory. The younger Struve and his companions are making astronomical surveys of the southern border, while M. Lopatin and his companions are exploring the physical geography and productions of the region near the mouth of the Yenissei. During their tour this exploring party made the important discovery of entire skeletons of mammoths, whose skin and hair had been preserved in frozen mud, like those found many years ago at the mouth of the Lena. The region where they were found was an extensive flat country, and has the appearance of having once been marshy. The heads of the animals were turned southward, as if they had been retreating southward when caught by an inundation proceeding from the north polar region, or by a change of climate due to a wide elevation of land, their former pasture grounds being converted into the frozen soil in which their remains are preserved to this day. They must have been numerous, and the climate of that region very different from what it now is to enable them to subsist.

*Japan.*—In the interior of Yesso, a race of hairy people called Ainos, who occupy nearly the whole interior of that island, have been discovered by Commodore Forbes. Professor Huxley, who has examined their skulls, declares that they have no affinity with Mongolians, but many with the Esquimaux.

*Siam.*—A French officer, in the employ of the Siamese Government, has recently discovered the ruins of a stupendous city of ancient times in that kingdom, the name of which he says is Ancor-Viat. He has given in the *Revue des Deux Mondes* a description of these ruins, which, after making allowance for some exaggeration, must still be reckoned among the wonders of the world. A city more than 60 miles in circumference, with ruined temples and statues, all of white marble, and of such gigantic height, that the ruins of the great Central American cities are utterly dwarfed in the comparison, must excite the attention of travellers.

VI. AFRICA.—Mr. Samuel W. Baker, who, with his heroic wife, amid the greatest perils which any African traveller has yet encountered and survived, finally settled the question of the sources of the Nile, has published an account of his expedition, which is of thrilling interest. The demoralizing influence of the slave trade upon the chiefs and kings of the Upper Nile region is fully demonstrated, and the impossibility of introducing civilizing influences among these tribes while it continues, clearly shown.

The particulars of the murder of the brave Baron Von der Decken and his companion Dr.

Link have been ascertained. (*See* VON DER DECKEN.) It was in the prosecution of his long-cherished purpose of approaching the lakes, which form the sources of the Nile from the south, that the intrepid Livingstone is reported to have lost his life. Much interest has been felt during the past year in the expedition of Herr Gerhard Rohlfs into Soudan from the north, crossing the Sahara, and exploring Fezzan and the country of the Tuaricks or Touaregs. Herr Rohlfs is 34 years of age, a doctor of medicine and philosophy, and a graduate of the Universities of Heidelberg, Würzburg, and Göttingen, who joined the foreign legion at Algiers, and distinguished himself at the conquest of Kabylia. Being thoroughly familiar with Arabic, and a proficient in medicine, he assumed the mask of a follower of Islam, and acting the part of a skilful physician, he determined to set forth on his travels into Central Africa, hoping to penetrate to Wadai, where the lamented Vogel was murdered, and to recover his papers, which are believed to be still in existence. His first attempt to enter Soudan was unsuccessful, for while traversing the Sahara of Morocco, he was robbed and wounded by his guides, and left for dead, alone in the desert, with a broken arm. He was rescued by some Marabouts, returned to Algiers, and attempted to set out for Timbuctoo, but owing to the unsettled state of the country, could not find a caravan with which to travel. He then started for Wadai, by way of Mourzouk, having a former servant of Vogel's, Mohammed ben Sliman, as his servant and guide. He reached Mourzouk late in 1865, and, after spending some months there, left on March 25, 1866, for Kuka, the capital of Bornou, on Lake Tsad. He arrived in Kuka, July 22d, and, after some weeks, wrote thence to Dr. Petermann. Kuka, he says, is a city of sixty thousand inhabitants, a busy active mart, but its principal trade is in slaves. Property and life are very insecure there. His observations in regard to Mourzouk and Fezzan, as well as the great desert, are very interesting. He finds evidence that the great desert is undergoing a change; that large tracts, hitherto barren wastes of sand, are becoming fertile oases, and yielding abundant fruits and grasses, while others are still in a transition state. Two French geographers, Messrs. Mage and Quintin, have been exploring the Niger, and have returned from their expedition, but the results of their explorations are not yet made public. From the *Lower Guinea Coast*, the region of the Gaboon, M. du Chaillu has penetrated into the interior, the country of the gorillas and cannibals, and was making extensive collections, when, in a village in the interior, one of his men accidentally discharged a gun, which caused the death of two negroes. The negroes, hereupon, believing him hostile, rallied for a fight, and as he and his company fled, his men threw away all his instruments and collections in their panic. He was himself twice wounded, but finally reached the coast in rags and penniless.



GEORGIA. The fiscal year closed October 16, 1866. At that time there was a cash balance in the treasury of \$71,752. The assets of the State consist of shares of banks and railroads amounting to \$1,126,900. These are all estimated as almost at par in United States currency, except about \$273,000 of bank stock which must be put at a low valuation. The bonded debt of the State is \$5,706,500, of which the sum of \$2,675,500 is in old bonds, the first of which fall due in 1868, and annually thereafter to 1872 in such amounts as render the payments easy, until the latter year, when \$750,000 fall due. The Comptroller states that the assets of the State may be safely estimated at \$1,000,000, and the Western and Atlantic railroad, which for several years paid an interest of over six per cent. into the treasury on \$7,000,000, and was valued in 1862 by the Legislature at \$7,849,224, besides taxable property. The following details show the total value of various items of property with other returns exhibited on the tax digest of 1866. They are regarded as exceedingly low figures, and do not embrace the counties of McIntosh, Rabun, and Ware, the returns of which would have affected the general result but to a small extent.

Land.....	\$103,112,524 00
City and town property.....	39,396,181 00
Money and solvent debts.....	34,521,678 00
Merchandise.....	10,933,173 00
Shipping and tonnage.....	215,667 00
Stocks, manufactures, etc.....	4,120,489 00
Household and kitchen furniture.....	1,132,408 00
Property not enumerated.....	23,751,667 00

Total value of property returned..... \$222,133,787 00  
 Total value of taxable property..... 207,051,677 00

Polls of whites.....	86,909
Polls of negroes.....	65,909
Professions.....	2,182
Dentists.....	103
Artists.....	44
Auctioneers.....	31
Billiard tables.....	140
Ten-pin alleys.....	20
Public race-tracks.....	2
Number of sheep.....	433,479
Number of sheep killed by dogs in 12 months....	25,432
Number of dogs.....	92,303
Number of children between 6 and 18 years of age.....	132,485
Number of children between 16 and 18 years of age, as guardian for.....	5,771
Number of hands employed, between 12 and 65 years of age.....	139,983
Number of maimed soldiers.....	914
Number of acres of land.....	30,116,929

The total number of acres of land returned in 1860 was 33,345,289; making a decrease as compared with 1866 of 3,228,860. The valuation in 1860 (specie currency) was \$161,764,955, in 1866 \$103,112,524. The average value per acre in 1860 was \$4.85; in 1866, \$3.42, being a decrease of \$1.43 per acre without depreciation of currency. The value of city and town property in 1860 was \$35,139,415. Money and solvent debts were returned in 1860 at \$107,336,258, equivalent to \$161,004,387 United States currency. Merchandise was returned in 1860 at \$15,577,193, equivalent in the present currency to \$23,365,789. The total value of property (exclusive of slaves) in

1860 was \$369,627,922, equivalent to \$554,441,883 United States currency. The number of slaves in 1860 was 450,033, valued at \$202,694,855; other property, \$369,627,922; making a total of \$672,322,777, amounting in currency to \$1,008,484,165. Total value in 1866, \$222,183,787; decrease since 1860, \$786,254,876. The number of polls of whites in 1860 was 99,748. The following losses of property not returned on the tax digest of 1866 were also stated by the Comptroller:

Losses of railroads, since 1860.....	\$15,000,000
Losses of banks.....	30,000,000
Public buildings, churches, etc.....	10,000,000
	<hr/>
	\$55,000,000
Add losses shown above.....	786,254,876
	<hr/>
	\$841,254,876

This shows that almost four-fifths of the entire wealth of Georgia has either been destroyed or rendered unproductive since 1860. The tax of the State was only one-sixth of one per cent. in 1866. The Comptroller says: "Our railroads have been repaired, commercial intercourse with the world reopened, cities and villages which were but a few months since masses of charred ruins rebuilt as if by magic, and our planting interest, though less prosperous than heretofore, owing to the change of labor and unpropitious seasons, has not been less active. We have every reason to hope that this is but the beginning, the ground-swell of a great and glorious future, if fortune will continue to favor us. Though the finances of our people are still much embarrassed, the high price of cotton and a few good crops will entirely relieve their indebtedness."

The University of the State has been reopened under very favorable prospects and with sufficient assets belonging to the institution to remove almost entirely any future need of assistance from the State.

On March 12, 1866, the Legislature appropriated \$200,000 to buy corn for the indigent poor of the State. With a portion of this sum 183,958 bushels were bought at St. Louis at a cost of little less than a dollar, and issued to over forty-five thousand persons, or over four and a half bushels per head.

The returns of the year show that the State has lost over one hundred thousand producing laborers since 1863. Although it is not probable that the number of laborers will continue to decrease in the same ratio as during the last three years, yet there are causes at work which threaten rapidly to lessen the number and efficiency of the negro laborers. The high prices offered and paid for this class of laborers in the rich cotton-growing regions of the Lower Mississippi and the West, continue to withdraw a large number of the best negro laborers from the less productive sections of the South, and all the indications now are, that their ultimate home will be the rich cotton lands of the West. The Comptroller also states in his report that, "it is an established fact that the mortality



among the negroes far exceeds what it was under our well-regulated system of slavery, being so great as to give a reasonable foundation for the prevalent belief that the days of the race are numbered and that they will eventually become extinct."

By the returns of the tax receivers, who were required to make a list in their respective counties of every man who lost a limb in the recent war, it appears there were nine hundred and fourteen. From other sources this number has been increased to a thousand.

The recess of the State Legislature closed on January 15, 1866, when that body again re-assembled. The Governor in another message laid before both Houses a code or system of laws for the government and protection of persons recently emancipated from slavery, and for other purposes reported by a commission previously appointed for that purpose. Its features he thus describes: "It is just and liberal, as it should be, to the freedman. It is safe, as it should be, to the citizen. It extends no political rights to the former, but it gives ample security to his rights of person and of property. Like a great majority of the States which never admitted, or have long since abolished slavery, we are wholly averse to investing him with political rights and privileges. For that very reason, we are under the highest conceivable obligation to protect him in his rights of person and property, and to aid, by all just means, his advance in civilization. This aid we gave him, this advance we effected for him, whilst in slavery. Why should it be withheld now? Whilst we insist upon occupying, in relation to those persons, the position of the governing class, let us fully and fairly meet its responsibilities."

An act passed at this session giving persons of color "the right to make and enforce contracts, to sue and be sued, to be parties and give evidence, to inherit, purchase, lease, sell, hold and convey real and personal property, and to have full and equal benefit of all laws and proceedings for the security of persons and estate," was followed by an order approved by the general in command of the department, securing to the State a partial restoration of her civil laws and the jurisdiction of her courts. This order was in accordance with a proclamation of the President. The order, thus approved by General Brannon, was followed, on April 14th, by a proclamation of Governor Jenkins, thus explaining the situation to the people:

By these orders a large jurisdiction in civil and criminal cases whereto freedmen alone or freedmen and white persons may be parties, heretofore denied to State courts, is yielded to them. As will appear in the sequel, this does not amount to positive and final withdrawal of military authority. It is unquestionably a highly satisfactory advance in the process of restoration to our former political status, which may be followed by a further advance in the same direction, or by a retrograde movement, as circumstances may indicate. It has been induced mainly by the

legislation of the General Assembly relative to the status of the freedmen. It will not be lost, and may be speedily pushed further, if the judiciary, in courts of inquiry and in courts of record, the bench and the jury-box, give effect to the letter and the spirit of the laws by them enacted. In the full assurance that my fellow-citizens, official and unofficial, who may be called upon to participate in the administration of justice, will hold the scales in perfect equilibrium, as between individuals and classes, I congratulate the people of Georgia upon this earnest of coming restoration to interior self-government. In our condition neither conscious rectitude of intention nor noisy and unbecoming professions of it will avail aught. Practical demonstrations, which incredulity itself cannot gainsay, and nothing less, will work out our redemption.

It is of great importance to us that none mistake the effect of the President's recent peace proclamation, and of the orders above referred to. Our condition is certainly anomalous, and mischievous errors might result from theoretical speculation upon those documents. I therefore state, as the result of official intercourse and of careful examination of previous orders and circulars, which are only modified, not withdrawn:

1. That the agents, in the several counties of the Freedmen's Bureau, still have jurisdiction in all cases "between freedmen and others, when the sum involved does not exceed fifty dollars, exclusive of interest. They may also take cognizance of and try all offences committed by freed people or against them, provided the punishment does not exceed a fine of fifty dollars or thirty days' imprisonment at hard labor." They are also still charged with the duty of examining and approving, or disapproving, labor contracts, and of assisting and protecting, by legal means, freedmen requiring such aid. Trials by strictly military commissions are dispensed with, except where the accused is a soldier, or the offence charged is one against the Federal Government.

2. I have high authority for saying that "the President's proclamation does not remove martial law or operate in any way upon the Freedman's Bureau, in the exercise of its legitimate jurisdiction;" though "it is not deemed expedient to resort to military tribunals in any case where justice can be attained through the medium of civil authority." My impression is, that in case of military arrest by orders from Headquarters, Department of Georgia, interference of State judges, by *habeas corpus*, will not be permitted. Such orders, I believe, will be rarely if ever issued, and I trust conflict will be avoided.

Whilst, therefore, by thus communicating reliable information I seek to guard the whole people against erroneous impressions regarding the extent to which the Federal military authority is relaxed, I respectfully call upon the civil authorities to assume and to exercise, in perfect fairness and justice, the jurisdiction clearly restored to them. Calmly and patiently pursuing our now ascending course, let our acts illustrate our title to fuller confidence and higher rights. Faithful observance of the Federal Constitution and impartial administration of the law will best vindicate intentions honestly entertained and distinctly expressed, but cautiously accredited.

CHARLES J. JENKINS.

At this session of the Legislature an act known as a stay law, was passed. It provided that there should be no levy or sale of property under any execution upon any contract or liability made or incurred prior to June 1, 1865, or any renewal thereof of a subsequent date, except for one-third of the principal and interest after January 1, 1868, and one-third after each subsequent year. Several cases of exceptions were made, chiefly of a fiduciary character, etc. This



bill the governor vetoed, chiefly on the ground that the Constitution of the United States expressly ordains that "no State shall pass any law impairing the obligation of contracts." The judges of the Supreme Court differed in opinion on the constitutionality of the law. One of them (Linton Stephens) thus stated the point of difference: "The whole confusion on this subject comes from the original false assumption which has sometimes been made in the *obiter dicta* of judges, but which has never been decided by any court, and is inconsistent with the unbroken current of decisions—the assumption that the obligation of a contract is the existing remedy for its enforcement. The obligation of a contract, it is very true, is not to be found always in the terms used by the parties: it is to be found in the liability which the existing laws attach to those terms. Indeed, the obligation of a contract is the liability which the existing law attaches to its terms. For illustration, a contract in this State to pay twenty per cent. interest, has no obligation beyond seven per cent., the rate fixed by law; and a contract to pay money for the killing of a human being has no obligation whatever. Parties may make what engagements they please, these do not constitute their obligations; the law existing at the time comes in and attaches its own liability to the terms used, defines and fixes the obligations arising out of those terms. These obligations are to be enforced by such remedies as the political power may provide from time to time; and the courts can never interfere with changes or modifications which the political power may make in the remedies, either quickening or slackening them, so long as the right is not abrogated by the indefinite withdrawal or suspension of all remedy."

A resolution was also adopted appointing a committee of sixteen to digest and report to the next Legislature a system of common schools. An act approved on March 17th regulated the rights and duties of masters and apprentices, which placed all on the same footing without regard to color. Administrators, executors, and guardians, and trustees, were relieved from all penalties of mismanagement, misappropriation, or misapplication of funds of estates, who, in pursuance of any decree of a court or any laws of the State, invested the funds represented, in certificates of the State of Georgia, or of the Confederate States.

After a short session, confined to local affairs, the Legislature adjourned to November 1st. The most important topic of the governor's message to this body, when it again convened, related to the amendment of the Federal Constitution proposed by Congress. After briefly analyzing its features, he said:

I ask you to consider, however, why it is that you are called upon to vote upon its adoption, whilst your State had no voice in its preparation? The Constitution secures to the States the one right as distinctly and as positively as the other. Had your Representatives, and those of other States similarly situated, been present, aiding in giving substance

and form to it, possibly it might have come before you a less odious thing. The policy seems to have been, first to push it, without their participation, beyond the stage of amendment, and then say to them, accept our bantling or take the consequences. The omission of any material part of the process of amendment makes the amendment itself unconstitutional, null and void.

Should the States especially to be affected by this amendment refuse their assent to it, it cannot be adopted without excluding them from the count and placing its ratification upon the votes of three-fourths of the now dominant States.

It is said, however, that unless this concession be made, the now excluded States will be kept out of the halls of Congress indefinitely. Were the amendment presented with such a menace distinctly expressed, a higher motive (if possible) than any hitherto suggested would prompt its rejection.

At the termination of hostilities, it was right and proper that the previously resisting States should, in the most unequivocal and formal manner, abandon such resistance; should rescind all they had done in antagonism to, and do whatever was necessary and proper to place themselves in constitutional relation with that Government. All this, we believe, Georgia has done. Beyond this, in acting upon any proposed change in the fundamental law, even in this critical juncture, my advice is, that her legislators act with the same intelligent judgment and the same unflinching firmness, that they would have exercised in the past, or would exercise in the future, when in full connection and unambiguous position. Any other rule of action may involve sacrifices of interest and of principle which magnanimity would not exact and self-respect could not make.

The subject was referred in each House to the Committee on the State of the Republic. These committees acted as a joint committee, and made a report on November 9th. They state that they had serious doubts of the propriety of discussing the proposed amendment, and they will depart from this course only so far as to give the reasons which seem to forbid discussion upon the merits. They say:

The argument resolves itself into a few simple propositions.

1. If Georgia is not a State composing a part of the Federal Government known as the Government of the United States, amendments to the Constitution of the United States are not properly before this body.

2. If Georgia is a State composing part of the Federal Government known as the Government of the United States, then these amendments are not proposed according to the requirements of the Federal Constitution, and are proposed in such a manner as forbids this House from discussing the merits of the amendments, without an implied surrender of the rights of the State.

In discussing these propositions, we shall endeavor to establish:

1. That Georgia is a State of the United States, coequal with all the other States of the Federal Union, and therefore entitled to all the rights and privileges of any and every other State under the Federal Constitution.

2. That the amendments have not been proposed in either of the methods required by the fifth article of the Constitution.

In the discussion of the assertion "that Georgia is a State of the United States," etc., they urge the following considerations:

Georgia was clearly a State when the Union was formed, for she was one of the original thirteen States by whom the Government was created. Georgia, then, being one of the original States, never ceased



to occupy that relation to her sister States, unless by the Constitution (either expressly or by implication), she has reserved to herself the right to secede, or vested in the legislative or some other department of the Government the right to reject her.

Did Georgia have the right to secede? Georgia supposed that when the General Government ceased to answer the purposes of its creation, she had the right to secede, and did in fact endeavor to withdraw from the Federal Union in conjunction with ten of her sister States. The remaining, or non-seceding States, declared the Union to be perpetual and indivisible, but failing under the Constitution to find any power to coerce a State, Congress resorted to the 8th section, in which the legislative powers are defined, wherein the power is given to the Congress to "suppress insurrection;" and on the 29th of July, 1861, passed an act entitled "An act to provide for the suppression of rebellion against and resistance to the laws of the United States, and to amend an act passed February 28, 1795."

Under this and similar acts the military power of the United States was called forth designedly not against the States, but to suppress insurrection by the people within the States. The United States Government uniformly refused to recognize the acts of secession as State acts, but treated them as the acts of insurgents rebelling against the authority of the States and of the United States. Under this political aspect of the case, no war was ever declared by Congress (which is the only power that could declare war), because a declaration of war would have recognized the practical right of secession.

The war would have necessarily been declared against the Confederate Government as a foreign power, and the relations in which the States composing the Confederate Government would have been to the United States or remaining States, when conquered, would have been entirely dependent upon such terms as should be embodied in the Treaty of Peace, which might be made between the two contending powers.

Instead of recognizing secession and declaring war, the Congress of the United States passed the act referred to for suppressing insurrection whenever, in the judgment of the President, the laws of the United States could not be enforced by the ordinary course of judicial proceedings.

How long did the power of the President continue to employ the militia of the several States and the land and naval forces of the United States? So long as the cause which called it into existence continued, and no longer. What was that cause? This act, and all acts passed by Congress on the subject, declare that it was to suppress an insurrection when it should be so formidable that the laws of the United States could not be enforced by ordinary judicial course, and this fact was left to the judgment of the President, whose duty it is to see that the laws of the United States are executed.

The President, by proclamation, has declared the rebellion suppressed, that peace reigns throughout the United States, and that the laws be enforced by ordinary judicial course. In other words, that insurrection did exist on the part of a portion of the people of several States of the Union, that the insurrection has been suppressed, and the whole people of those States are now (as a portion of them always have been) ready to render obedience to the laws of the United States.

No treaty followed the suppression of the insurrection, because a government does not treat with individuals, and the Government of the United States throughout the whole of this contest has refused to treat it as a contest with the States, and again, because the people hitherto charged with being in insurrection were citizens of States already bound together by a compact known as the Constitution of the United States, which has never been abrogated or overthrown, and has lost none of its vitality by an unsuccessful

attempt to overthrow it, and which is, therefore, now the supreme law of Georgia. By virtue of its power, the Congress of the United States, acting upon the theory of the indivisibility of the Union, treated the State as a State in the Union. The second section of the article of the Constitution which declares "representatives and direct taxes shall be apportioned among the several States which may be included within the Union," and on the 5th of August, 1861, an act was passed "that a direct tax of twenty millions of dollars be and is hereby annually laid upon the United States, and the same shall be apportioned to the States respectively in manner following: the State of Georgia for \$554,367, and a proportionate amount to each State and territory of the United States," distinguishing by the act States from territories; and on July 13, 1862, by an act to amend the judicial system of the United States, the districts of South Carolina, Georgia, Alabama, Mississippi, and Florida, were constituted the Fifth Circuit of the United States. There are several other acts passed during the rebellion deriving all their force from the Constitution, wherein it defines the legislative power of Congress over the States in the Union, and which, but for the fact that these States were regarded as in the Union, would have been wholly inapplicable to them. The whole theory adopted by Congress and the Executive, and maintained throughout the entire war, was this: The Union is indissoluble, the practical relation of the States to the Federal Government is interrupted by a rebellion. The whole power of the Government must be used to suppress the rebellion, that the States may be restored to their practical relations with the Federal Government. Had the people in the disaffected States returned peaceably to their abodes under the first proclamation, the State would have been immediately restored to their practical relations, and the result followed whenever the President declared the rebellion suppressed. Whenever the laws could be enforced in the ordinary judicial course, the Union was restored, and the Constitution proclaimed the relation of the States to the Federal Government, rendering legislation on the subject by Congress not only unnecessary, but unwarranted. We have thus endeavored to show that the right to secede is denied by the General Government, and its construction has been maintained by the sword, and is submitted to by all the States. Has Congress the right to erect a State? The powers of legislation are defined in the eighth section, and no power is given to Congress to legislate a State out of the Union. And, while by the third section of the fourth article, the Congress may admit a new State formed out of the territory of the United States or foreign territory, there is no clause of that instrument by which Congress, or any other power, can transform a State into a territory. Then as Georgia was one of the original thirteen States which formed the Union, and could neither withdraw from it, nor be legislated out of it, her Federal relations were only suspended during the rebellion. She must necessarily continue to be one of the United States, and as such her relation to the Federal Government and to her sister States is defined by the Constitution of the United States. And this relation cannot be changed, nor the terms of the Constitution altered in any way, except in one of the modes provided in that instrument by the States themselves.

The report concluded with the following resolution:

*Resolved*, That the Legislature of Georgia declines to ratify the proposed amendment adding a fourteenth article to the Constitution of the United States.

In the Senate the resolution was unanimously adopted. In the House the vote in its favor was 132 to 2.



At this session the Legislature reenacted the stay law of the former session. It was again vetoed by the Governor for the same reasons as were given on the former occasion. Both houses then passed the bill by the constitutional majority. The committee on public schools reported a plan the leading features of which were that a superintendent of public education and schools should be appointed by the Governor, whose duty should be to report annually to the Legislature consolidated returns from school districts, and expenditures of educational funds. He is to submit estimates for two years in advance, and also plans for the management, improvement, and better organization of Georgia schools. He is, as often as possible, to deliver public returns on education, and perform other duties assigned him by the act. The Georgia schools embraced in this act are to be open to all white children of the district between six and twenty-one years of age, etc. The plan after some amendments was adopted with a provision that it should not go into operation prior to January 1, 1868.

On November 30th the following preamble and resolution were unanimously adopted in each house of the Legislature:

The General Assembly would do injustice to the great heart of Georgia, not to give some formal expression of their respect for the character, and sorrow for the condition of the illustrious prisoner of state, Jefferson Davis. All the generous pulsations of that heart are in full unison and sympathy with his sufferings and misfortunes. Its warm affections cluster round the fallen chief of a once dear but now abandoned cause. There they will cluster and centre while men admire all that is chivalric in nature; while they regard all that is constant in purpose; while they love all that is noble in virtue; while they revere all that is sublime in faith, and respect unflinching greatness of soul. Therefore,

*The General Assembly of Georgia do resolve, That their sincerest condolence and warmest sympathy are tendered to Mr. Jefferson Davis in his confinement; and they look forward with anxious solicitude to the day when a magnanimous and patriotic president shall put a term to his confinement, and by the interposition of executive clemency restore him to a people for whom he so faithfully struggled, and on account of whom he endures with Christian fortitude the hardships of a long and rigorous imprisonment.*

Bills appropriating State aid to railroads were vetoed by the Governor, chiefly on the ground that the State was not in a condition to make a large expansion of her credit. After the passage of many local measures the Legislature on December 14th adjourned.

The corn crop of the State was in many places disastrously affected by drought. A great deficiency in the supply ensued. Large donations were made in other States for the use of the destitute poor, as a hundred thousand bushels by citizens of Kentucky, etc.

The State Lunatic Asylum has continued in successful operation. Blacks are entitled to admission as well as whites, but the accommodations are too limited for the reception of all patients. The Academy for the Blind has likewise been in successful operation; but that for the deaf and dumb has not been reopened since

the close of the war. The State Penitentiary, although destroyed during the war, has been partially restored, and preparations are making to place it on a permanent and successful footing. Manufacturing has received a new impulse, and promises to become one of the principal branches of future industry in the State.

**GERMAN-ITALIAN WAR.** The disagreement of Austria and Prussia, in the joint administration of the Duchies of Schleswig and Holstein, seriously complicated, in 1866, the relations between these two powers. Austria favored the claims of the Prince of Augustenburg, and not only permitted but encouraged the public manifestations made in Holstein in favor of the Prince. The Prussian Government had published, in October, 1865, the opinion of the crown jurists, who declared that, since the Peace of Vienna, of October 30, 1864, the sovereignty of the two Duchies was exclusively vested in Austria and Prussia, and that, if the house of Augustenburg had ever possessed an hereditary right to the government of the Duchies (which was, however, denied by the crown jurists), it had ceased since, and in consequence of the Peace of Vienna. The encouragement given by Austria to the agitation of the adherents of the Prince of Augustenburg was, therefore, regarded by Prussia as an aggressive act, which it had a right to guard against. In its note of January 26th, Count Bismarck requested the Government of Austria to take this view of Prussia into serious consideration. In case the Cabinet of Vienna should give to this request a negative or evasive answer, Prussia must come to the conclusion that Austria refused to go hand in hand with her; she must, in this case, gain for its policy full freedom, and make such use of it as could be most corresponding to her own interests. In reply, the Austrian Government (note of February 7th) claimed an absolute freedom in the provisional administration of Holstein, and her unwillingness to allow her administration to be interfered with from any quarter whatever. As Prussia did not reply to this note, she was suspected by Austria of meditating aggressive acts, and the Austrian ambassador at Berlin was accordingly instructed to inquire what the Prussian Government understood by the use she would make of the recovered freedom of her policy. Prussia evasively replied that both powers returned to that relation which existed between them before the Danish war.

Austria, uneasy about the attitude of Prussia, began, as early as February, to arm. At the beginning of March, her armaments attracted the attention of Prussia. The King of Prussia, in his turn, issued (March 11th) a decree which threatened all attempts to undermine his and the Emperor's joint authority in the Duchies. The decree was promulgated for the Duchy of Schleswig on the 13th of March, and caused the Austrian ambassador at Berlin to inquire (on March 16th) whether Prussia intended



forcibly to violate the convention of Gastein. Bismarck disclaimed any such intention, and added that orally he could not give a more definite reply, as oral declarations were too liable to misinterpretation. If the Austrian ambassador desired a more explicit answer, he might formulate his inquiry in writing. The hint was not accepted, but the armament in Bohemia and Moravia became more and more threatening.

On the 24th of March, Prussia informed the minor German governments that she was compelled by the armaments of Austria to make preparations for the defence of Silesia; that she must also endeavor to obtain guaranties for the future which she had in vain expected from an alliance with Austria; that, as the German Confederation, in its present condition, did not promise to Prussia any federal aid, if she was attacked, she must exclusively rely on the States which were willing to render her aid without regard to the Confederation; that, therefore, she must inquire about the disposition of the several States; but that, in any case, Prussia must propose a reform of the political and military condition of the Confederation. To this note the minor States replied by referring to article 11 of the federal pact, by which the members of the Confederation are obliged not to carry on war against each other, but to bring their quarrels before the Diet, which would either mediate or call forth an "austragal judgment," to which the litigant parties would have to submit without appeal.

The first armaments on the part of Prussia were ordered on the 27th and 29th of March. The battalions in the provinces which were most exposed were raised to their greatest strength on the peace footing; the field artillery was put upon the war footing, and the armament of the fortresses begun. Austria, in a note of March 31st, explained that all the movements of troops in Bohemia had simply taken place in consequence of the persecution of the Jews in several places, and that the Emperor had never thought of attacking Prussia. This declaration, Prussia asserted (April 6th), did not satisfy her, and she insisted on the purely defensive character of her armament. Austria replied (April 7th) that no military arrangements had been made which could be taken as preparations for a great war; that a discussion of the priority of the armaments was made superfluous by the declaration of the Emperor that he had never intended to make an attack upon Prussia, and that the amicable relations could be restored if only Prussia would be willing to disarm. Count Bismarck (April 15th) insisted that, as Austria had been the first to arm, she must be the first to disarm. Austria (April 18th) agreed to accede to this demand of Prussia, and Bismarck (April 21st) promised to follow Austria step by step.

In the mean while, Prussia had concluded an offensive and defensive alliance with Italy, and consequently the latter power had also begun

to arm. When, therefore, Austria notified (April 26th) the Prussian Government that, according to agreement, she would disarm in Bohemia, but was compelled to make thorough preparations for defence in Venetia, Bismarck replied that he must insist upon the reduction of the entire Austrian army to a peace footing. He also expressed a regret that the Austrian Government had not accepted the proposition of Prussia conjointly to request the other Federal Governments to cease their armaments, and he announced that Prussia would demand from the neighboring Kingdom of Saxony an explanation of its warlike preparations.

While thus the negotiations for bringing about a mutual disarmament proved a failure, the discussion at Frankfort of the proposition made by Prussia in April, for a reform of the Federal Constitution, widened rather than contracted the breach between the two powers. A new Austrian note on the settlement of the Schleswig-Holstein question (April 26th), drew forth a reply from Prussia (May 1st and May 7th) declaring a readiness to treat with Austria concerning her claim to the Duchies, but declining to allow the interference of the German Diet or any other power. As the armaments on both sides uninterruptedly proceeded, Saxony, alarmed at the late Prussian note, moved at the Federal Diet (May 5th) that Prussia be requested to give appropriate assurances to the Diet with regard to article 11 of the federal pact. The motion was (on May 9th) adopted by 10 against 5 votes. A motion made by Bavaria, which showed itself very anxious to bring about a reconciliation, to request all the governments that had made warlike preparations for explanations, was likewise adopted, and the 1st of June fixed as the day on which the explanations should be given. The declarations given on that day by the representatives of the two great powers did not differ from those which had previously been made in the diplomatic notes exchanged between the cabinets; but matters became more seriously complicated by a declaration of Austria, that being unable to come to an understanding with Prussia on the Schleswig-Holstein question, she now referred the whole subject to the decision of the Federal Diet, which she was ready to abide by. Prussia, in reply, more emphatically than ever, declared that, if the Diet paid no attention to her proposition for a reform, which everywhere was regarded as necessary, Prussia must regard the Diet as incompetent to fulfil its mission, and resort to other measures. The announcement made by Austria, in the same sitting of the Diet, that the Austrian Governor of Holstein, General von Gablentz, had been instructed to convoke the Estates of Holstein, in order to hear the wishes of the people of the Duchies on their fate, was regarded by the Prussian Government as a direct violation of the Convention of Gastein, and called forth a sharp note from Count Bismarck to the diplomatic agents of Prussia (June 4th), in which he



charges Austria with a design of provoking war for the purpose of improving the desperate condition of the Austrian finances by Prussian war contributions or by an "honorable" bankruptcy. At the same time, the Prussian Governor of Schleswig, General von Manteuffel, was directed to march Prussian troops into Holstein as soon as the Austrian Governor of that Duchy should convoke the Estates. When, therefore, on June 5th, the order of convocation was issued, the Prussian troops in Schleswig entered Holstein (on June 7th), General von Manteuffel, at the same time, inviting General von Gablentz to reëstablish with him a joint administration of the Duchies, as it existed before the Convention of Gastein. The Austrians deny that such an invitation was received, but the Prussians assert that it certainly was sent. As the isolated brigade of Austrian troops in Holstein was not strong enough to arrest the advance of the Prussians, it was ordered to withdraw—first into the southwestern corner of Holstein, and subsequently over Hamburg and Harburg to Hanover. The convocation of the Holstein Estates was prevented; the Prince of Augustenburg left Holstein in haste, and Prussia appointed a Schleswig-Holstein nobleman, Herr von Scheel-Plessen, as *Oberpräsident* (the name of the chief officer of civil administration in the Prussian provinces) of the two Duchies.

On June 11th, the representative of Austria in the Federal Diet, charged Prussia with having disturbed the federal peace, and moved the mobilization, within a fortnight, of the entire federal army, with the exception of the three army corps comprising the Prussian contingent. The army should be ready to march within twenty-four hours; reserve contingents and the chief command of the army should be provided for; and, for the execution of details, the military committee of the Diet should enter into communication with the federal military committee. A vote on the Austrian proposition was taken on June 14th, although it was objected by Mecklenburg that heretofore the Federal Diet had devoted to the most trifling subject at least three sittings—one to the proposition, one to the discussion, and one to the vote. The result of the vote was declared to be, by the president of the Diet, the adoption of the motion by 9 against 6 votes.

It is a remarkable circumstance that the most important resolution which has ever been passed by the Federal Diet, and which was to lead to the destruction of the Confederation, was not even carried by an undoubted majority. Of the seventeen votes ("*curiae*") which ordinarily constituted the Diet, one, that of Holstein-Lauenburg (the 10th curia), was dormant. The 13th curia (Brunswick and Nassau) was equally divided. In the 16th curia, which consisted of seven small States with equal shares in the aggregate vote—Lichtenstein, Waldeck, Reuss-Greiz, Reuss-Schleiz, Lippe, Lippe-Schaumburg, Hesse-Homburg—four States de-

clared themselves for the Austrian proposition, and three against it. But as soon as the vote was published, the Government of Schaumburg-Lippe informed the Prussian Cabinet that it was against the motion, and disavowed its representative at Frankfort, who had voted for it. This change of vote would have put the 16th curia on the negative instead of the affirmative side. Deducting the votes of the 13th and 16th *curiae*, both of which were counted in to make up the majority of nine, there would only remain for the motion seven *curiae*, namely: the 1st (Austria), 3d (Bavaria), 4th (Saxony), 5th (Hanover), 6th (Württemberg), 8th (Hesse-Cassel), 9th (Hesse-Darmstadt). Against the motion were cast the votes of the 7th curia (Baden), 11th (Luxemburg and Limburg), 12th (Saxe-Weimar, Saxe-Coburg-Gotha, Saxe-Altenburg, Saxe-Meiningen), 14th (the two Mecklenburgs), 15th (Oldenburg, Anhalt, the two Schwarzburgs), 17th, (the Free Cities).<sup>\*</sup> If Prussia herself had voted, and if Lippe-Schaumburg had been allowed to change her vote, involving the change of the vote of the entire curia, the Austrian motion would have been rejected by 8 against 7 votes.

When the President of the Diet had proclaimed the adoption of the Austrian motion, the representative of Prussia rose to announce the action Prussia had resolved upon. Prussia, he said, regarded the adoption of the motion as a violation of the pact of confederation. The condition under which the federal law admits of "execution" against members of the Confederation had been altogether disregarded by Austria. Her conduct in Holstein had been equally contrary to federal treaties. The Diet ought not to have considered the motion at all. Its adoption proved to Prussia that the main object of the Confederation—the protection of the several members—was henceforth out of the question, and on that account Prussia must regard the Confederation as dissolved. But Prussia did not regard the national basis, on which the old Confederation had been reared, as destroyed, but it held fast to the unity of the German nation, and declared its readiness to enter, upon the basis of the Prussian draft of reform of June 10th, into a new Confederation with those governments who might wish it.

The Prussian manifesto was virtually a declaration of war. The available forces of the several belligerent parties, at this time, were about as follows: 1. *Prussia*.—The infantry of the guard had 4 regiments of guard infantry, 8 regiments of grenadiers, 1 regiment of fusileers, 1 battalion of chasseurs, 1 battalion of riflemen. The infantry of the line had 12 regiments of grenadiers (numbered 1 to 12), 8 regiments of fusileers (numbered 33 to 40), 52 regiments of infantry (numbered 13 to 32 and 41 to 72), and 8 battalions of chasseurs. On the peace footing, a regiment has 3 battalions; a battalion 4

<sup>\*</sup> Of the States constituting the 12th and 17th *curiae*, Saxe-Meiningen and the City of Frankfort voted for the motion.



companies. In time of war, every regiment receives a fourth reserve battalion, and every battalion of chasseurs and riflemen an additional company. A battalion on the war footing numbers 1,025 men, inclusive of 22 officers, or in round numbers about 1,000 men. Prussia had thus an infantry force of 253 battalions, with 260,000 combatants, ready for the field, beside  $83\frac{1}{2}$  battalions, with 85,000 men, as reserve troops, which partly would be employed for garrison service. The cavalry of the guard consists of 1 regiment guard du corps, 1 regiment of cuirassiers, 2 regiments of dragoons, 1 regiment of hussars, 3 regiments of ulans. The cavalry of the line contains 8 regiments of cuirassiers, 8 regiments of dragoons, 12 regiments of hussars, 12 regiments of ulans. Cuirassiers and ulans constitute the heavy dragoons, and hussars the light artillery. Thus there are 25 regiments of heavy and 23 regiments of light artillery. A regiment has generally four squadrons, but as the transformation of the landwehr cavalry is not yet completed, there were 4 regiments of hussars and 4 regiments of dragoons of 5 squadrons each. A squadron in the field has 155 men, inclusive of 5 officers. In time of war, a reserve squadron is formed for every regiment, numbering 200 men for the heavy cavalry and 250 for the light. The aggregate of the Prussian cavalry amounts, therefore, to about 30,000 horses, from  $\frac{1}{8}$  to  $\frac{1}{9}$  of the infantry. The aggregate of the reserve squadrons is 10,750 men. The artillery consists of one brigade of the guard and 8 brigades of the line. Each brigade has 2 regiments, 1 field regiment and 1 garrison regiment. The field regiment has 4 divisions, 1 mounted and 3 dismounted; each division has 4 batteries of 6 pieces of ordnance each. Together, a field regiment has 96 pieces of ordnance, besides a reserve division of 4 batteries, with 4 pieces of ordnance each. A garrison regiment has 2 divisions, each of which furnishes 4 companies for purposes of defence and siege. In addition to infantry, cavalry, and artillery, there are technical troops, consisting of 1 battalion of pioneers of the guard, and 8 battalions of pioneers of the line, which have to attend to the bridges, trains, field telegraphs, road and earthworks, and perform the technical services at the defence of and attacks upon fortresses. Each battalion has a reserve company. The train consists of 1 battalion of the guard, and 8 battalions of the line, together of 1,229 men and 1,566 horses. The standing army of Prussia has, accordingly, about 300,000 men, with 864 pieces of ordnance. The landwehr of the first call, which embraced the discharged soldiers up to the 36th year of age, numbered about 120,000 infantry and 7,000 cavalry. The landwehr of the second call, embracing the discharged soldiers to the 36th year of age, has 116 additional battalions of infantry, of 800 men each, together about 93,000, and for each battalion a cavalry squadron of 100 horses can be organized. This part of the landwehr is to be

called out only when the enemy has invaded the country. The whole of the Prussian army is divided into nine army corps, each consisting of 2 infantry divisions (each of 2 brigades, 4 regiments, 12 battalions, and from 12,000 to 15,000 men, infantry, with from 600 to 700 horsemen and 24 pieces of ordnance), 1 cavalry division (of 2 brigades or 4 regiments, with 1 or 2 mounted batteries, counting from 2,400 to 2,700 men), 1 artillery reserve (of 4 foot batteries and from 2 to 3 mounted batteries). Altogether an army corps has about 25,000 infantry, 3,600 cavalry, and 96 pieces of ordnance. If Prussia, in case of a great war, employed the landwehr of the second call for garrison service, she would have ready for the field about 380,000 infantry, 37,000 cavalry, and at least 864 pieces of ordnance. The Prussian infantry are armed with the needle-gun, of which the following is a representation:

Fig. 1 is a central longitudinal vertical section (full size) of the breech, cartridge-chamber, and lock, showing the breech closed for firing. Fig. 2 is a central longitudinal section of the cartridge. The breech, M, which is hollow, is, externally, like a door-bolt, with a knob-handle, M'; and it both slides longitudinally and turns in the cylindrical breech-receiver, A, into which the barrel is screwed. Into the front part of the breech, M, is screwed the needle-tube, N', through which the needle, N, slides freely. The needle is attached to the needle-bolt, K, which slides within the lock, L; and this latter slides within the breech. Around the front part of the needle-bolt there is an air-chamber, in rear of and in communication with the cartridge-chamber of the barrel. The main spring, by which the needle is shot forward to ignite the priming, is of spiral form and coiled around the needle-bolt in rear of the collar, K', which also forms a shoulder for the sere, C', which holds back the bolt when the piece is cocked. The sere is formed in the same piece with the sere-spring, C, which is connected with the trigger, T, in such a manner as to withdraw the sere from the collar, K', and allow the spring to drive forward the needle-bolt and needle. The breech, M, when brought up to its place for firing, as shown in Fig. 1, after inserting the cartridge, is turned by the knob-handle, M', to bring the said handle in front of the shoulder, a, on the breech-receiver; and, after firing, it is turned back away from the shoulder, a, and drawn back till the knob-handle is stopped. Attached to the lock, L, is the lock-spring, D, with a handle, D'. This spring is made with a catch at its front end, to draw back the needle-bolt; and the lock is made with a handle, L', by which it may be drawn back independently of the breech, while the latter is closed; but it is drawn back with the breech.

The bullet, E (Fig. 2), is acorn-shaped, and is fitted with a compressed paper sabot, F, which serves the purpose of cleaning the bore and of containing the fulminate priming, G, which is



FIG. 1.

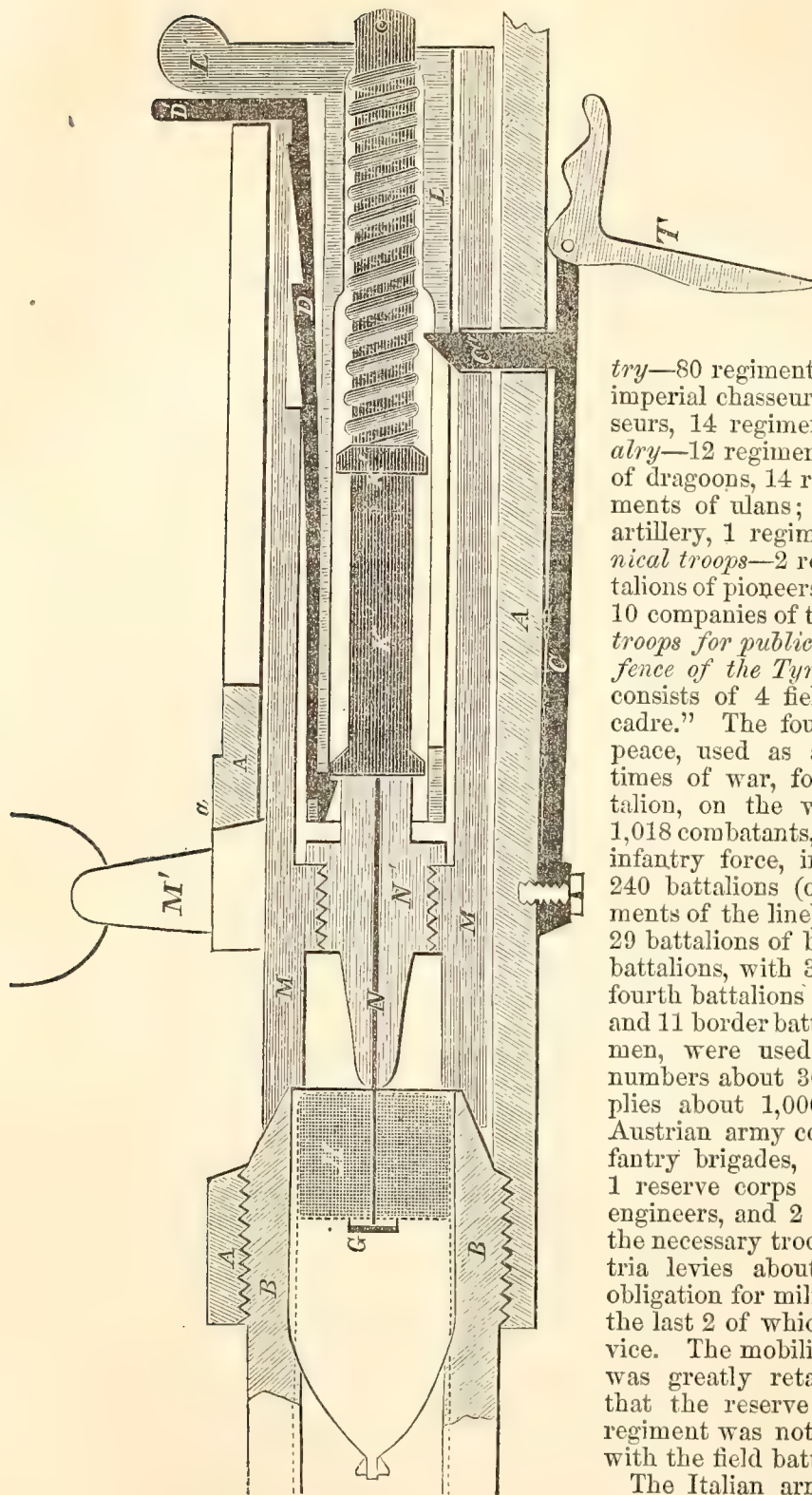
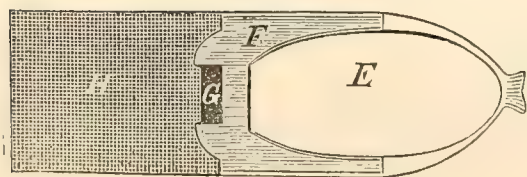


FIG. 2.



thus arranged in front of the charge of gunpowder. The sabot, bullet, and charge, are all enveloped in a paper case. The utmost range of the projectile is 700 yards, and for accuracy of shooting the gun cannot be depended upon over 300 yards.

The Austrian army, at the beginning of the year 1866, consisted of the following divisions: *infantry*—80 regiments of the line, 1 regiment of imperial chasseurs, 32 battalions of field chasseurs, 14 regiments of border infantry; *cavalry*—12 regiments of cuirassiers, 2 regiments of dragoons, 14 regiments of hussars, 13 regiments of ulans; *artillery*—12 regiments of artillery, 1 regiment of coast artillery; *technical troops*—2 regiments of engineers, 6 battalions of pioneers; *troops of administration*—10 companies of the sanitary department, etc.; *troops for public security*; *troops for the defence of the Tyrol*. A regiment of the line consists of 4 field battalions and 1 “depot cadre.” The fourth battalion is, in times of peace, used as a reserve battalion, and, in times of war, for garrison service. A battalion, on the war footing, numbers about 1,018 combatants, in 6 companies. The whole infantry force, in time of war, consisted of 240 battalions (of 3 each of the 80th regiments of the line), 38 battalions of chasseurs, 29 battalions of border infantry, together 307 battalions, with 310,000 combatants. The 80 fourth battalions of the infantry of the line, and 11 border battalions, together with 100,000 men, were used as garrison. The cavalry numbers about 30,000, and the artillery supplies about 1,000 pieces of ordnance. An Austrian army corps usually consists of 4 infantry brigades, 1 brigade of light cavalry, 1 reserve corps of artillery, 2 companies of engineers, and 2 companies of pioneers, with the necessary troops of administration. Austria levies about 80,000 men annually; the obligation for military service lasts 10 years, the last 2 of which belong to the reserve service. The mobilization of the Austrian army was greatly retarded by the circumstance that the reserve (fourth) battalion of each regiment was not located in the same district with the field battalions.

The Italian army, according to the organization of 1865, had 8 regiments of grenadiers of the line, 72 regiments of infantry of the line, and five regiments of “bersaglieri” (rifles). A regiment of grenadiers, or of infantry of the line, has 4 battalions; each battalion 4 companies; a company, 4 officers and 149 men. Together, the 80 regiments of grenadiers and infantry of the line had 202,720 combatants. A regiment of “bersaglieri” has 8 battalions, and numbers, inclusive of officers, 5,024 men.



Together, the "bersaglieri" consists of about 25,000 men. The cavalry consists of 4 regiments of cavalry of the line, 7 regiments of lancers, 7 regiments of light cavalry (*cavalegeri*), together with about 13,000 men. The artillery has 480 pieces of ordnance.

Of the minor German States, the allies of Prussia were ready to furnish the following contingents: Saxe-Weimar, Saxe-Coburg-Gotha, and Saxe-Altenburg, together, 7,500 men; Brunswick, 4,600; the two Mecklenburgs, 5,500; Oldenburg, 3,500; Anhalt, 2,000; the two Schwarzburgs, 1,800; Lippe Detmold and Schaumburg Lippe, 1,200; Waldeck, 800; Reuss Schleiz, 7,000; Hamburg, Bremen, and Lubeck, 3,600; together, 31,000 men. Schleswig-Holstein and Lauenburg would have been able to furnish additional, 20,000; but they were not organized at the beginning of the war. Baden, which sympathized with Prussia, though it was compelled to fight against it, had 13,000 men. Austria could rely on the assistance of Bavaria (63,000 men, 144 pieces of ordnance), Württemberg (28,000 men, 52 pieces of ordnance), Hesse-Darmstadt (11,000 men, 38 pieces of ordnance), together, 102,000 men and 234 pieces of ordnance. Besides these States, the following had taken sides with Austria: Saxony (24,000 men); Hanover (21,000); Hesse-Cassel (11,000); Nassau (6,000); Saxe-Meiningen (2,000); Reuss Greiz (400); Frankfort (1,000); together, 65,000 men and 135 pieces of ordnance. But these States in case of a war were likely to be at once overrun by Prussian troops, and could not be expected to make their contingents available for Austria.

*Beginning of the War—Occupation of Saxony, Hesse-Cassel, and Hanover, by Prussian Troops.*—Immediately after the Federal resolution of the 14th of June, Prussia summoned the governments of Hanover, Saxony, and Hesse-Cassel to reduce their armies to the peace footing of the 1st of March, and to join the new German Confederation upon the basis of the Prussian draft of the 10th of June. In case of their compliance, Prussia promised to guarantee their rights of sovereignty within the bounds of the new German Confederation. All the three governments declined, whereupon, Prussia, on the 15th, declared war against them, and on the 16th marched troops into the countries now considered as hostile. Prussia had, for this purpose, organized the following troops: 1. Against Saxony, the so-called "Army of the Elbe," under General Herwarth von Bittenfeld, composed of the 8th Prussian army corps (of the Rhine provinces), which had been reënforced by one division of the 7th (Westphalian) corps. The headquarters of this army were in the southeastern part of the Prussian Province of Saxony, between Torgau and Eilenburg. 2. Against Hanover, a division under General von Manteuffel, in Schleswig-Holstein, and the 13th division of the Westphalian army corps, under General Vogel von Falkenstein, which had been concentrated at Minden. 3.

Against Hesse-Cassel, a corps under General von Beyer, who had his headquarters at Wetzlar.

In order to leave no enemy in the rear, it was necessary for Prussia to occupy, as soon as possible, Hanover, Hesse-Cassel, and Saxony. This part of the programme was executed with marvellous rapidity. During the night, from the 15th to the 16th of June, the Prussian General von Beyer concentrated a corps near the Hessian frontier, and at 2 o'clock A. M. began his march into the electorate. From Giessen he issued a proclamation to the "Hessian brethren," stating that the king carried on war against the elector, but not against the people, who, on the contrary, would now see better days than formerly. The troops of the elector speedily evacuated all the important places, and in the southernmost corner of the State effected a junction with the troops of Hesse-Darmstadt and other troops of the 8th Federal Army Corps, which soon, contrary to expectation, was also joined by the troops of Baden. The elector, who remained at his castle of Wilhelmshöhe, and refused the conditions under which Prussia offered to guarantee his sovereignty, was taken as prisoner to the Prussian fortress of Stettin, and his country placed under Prussian administration.

The Saxon government did not wait for the invasion of the Prussians, but, even before a formal declaration of war, the Saxon army marched into Bohemia, there to effect a junction with the Austrian troops. On the morning of the 16th King John left Drésden to seek a refuge in Bohemia. The treasures of the royal house and of the State were removed to the same country. Within a few days the whole of Saxony was, without offering any resistance, in the hands of the Prussians. Several railroads were torn up and the large bridge over the Elbe at Riesa was burned down by the Saxons, uselessly; for these acts were not required to protect the escape of the Saxon troops, and to the Prussians they did no harm.

The kingdom of Hanover was invaded, on the 16th of June, by General Vogel von Falkenstein, at the head of the 13th division, which had been concentrated at Minden. On the 17th the city of Hanover was occupied. The king had left his capital on the 16th, in order to join with the crown prince the Hanoverian army which was rendezvousing at Göttingen. From Schleswig and Holstein General von Manteuffel marched into Northern Hanover, and (June 18th, 1 o'clock, A. M.) surprised the fortress of Stade, where a large amount of war material was captured. The Hanoverian troops rapidly marched southward, in order to unite with the Bavarians, a corps of whom had advanced northward and occupied Coburg. On the 21st King George issued a farewell proclamation to his people, and with about 15,000 men and 56 pieces of ordnance marched through Prussian territory (Heiligenstadt, etc.) into the Thuringian States. Only small detachments of



the Prussians, in union with the troops of Saxe-Coburg-Gotha, were here opposed to the Hanoverians. New negotiations between Hanover and Prussia failed (June 24), and the Hanoverians now made an attempt to break through the Prussian line somewhere between Gotha and Eisenach. The Prussians were rapidly reinforced both from the east and the west, and on the 27th General Fliess, at the head of about 7,000 men, attacked the Hanoverians at Langensalza. Before the larger number of the Hanoverian army, which fought with the utmost bravery, the Prussians had to fall back with a loss of 321 men in killed and wounded. As, however, the Bavarians did not come to the relief of the Hanoverians, and the latter convinced themselves that the Prussians had amassed a vastly superior force south of them, a capitulation was concluded on the 29th of June, in virtue of which all the war material and ammunition were surrendered to the Prussians. The men were disarmed and sent home; the officers retained their swords, and pledged themselves not to use them in this war against Prussia. King George and the crown prince were left at liberty to go where they pleased.

*Opening of the Austrian-Italian War—The Battle of Custoza—Garibaldi on the Frontier of Southern Tyrol—The Italian Fleet at Ancona.*—The formal declaration of war by Italy against Austria took place on the 20th of June. The Italians opposed to the Austrians four army corps. The 1st, consisting of 4 divisions, under General Durando, who had his headquarters at Lodi, was to operate against the Garda Lake and the Upper Mincio; the 2d (3 divisions), under Cuchieri, had its headquarters at Cremona, and was to advance upon Mantua and the Lower Mincio; the 3d (4 divisions), under Della Rocca, was placed behind the two preceding ones, and had its headquarters at Piacenza; the 4th (5 divisions), under Cialdini, had its headquarters at Bologna, and was intended to operate against the Lower Po and the Lower Adige. The Austrians, in their turn, had three army corps (the 5th, 7th, and 9th), under the chief command of Archduke Albrecht, who had distinguished himself at Novara; two occupied strong positions on the Mincio and the Adige, in the celebrated Quadrilateral, while one held possession of Eastern Venetia and Istria. The 3d army corps, under Archduke Ernest, with its headquarters at Laybach, first formed a general reserve, but was soon moved northward to reinforce the army in Germany. The Italian declaration of war was signed by General La Marmora, and addressed to Archduke Albrecht. It announced the beginning of hostilities within three days. On the 23d of June the preparations of the Italians for an attack were completed. Having erroneously inferred, from the information received by them, that the Austrians did not intend to defend the country between the Mincio and the Adige, but would await the Italians behind the Adige, the Italians resolved to pass the Mincio and secure a

fortified position between the fortresses of Peschiera and Verona, by occupying, upon the heights south of the Lake of Garda, the triangle formed by Valeggio, Castelnovo, and Somma Campagna. The troops which were to be employed for these movements were the 1st, 2d, and 3d army corps, which, together with some reserve troops, numbered about 146,600 men, and had 228 pieces of ordnance. Of these, about 117,000 men with 192 pieces of ordnance were immediately available in case of battle. The Austrians, to meet the attack, had about 73,000 men and 272 pieces of ordnance available.

On the 24th of June the 1st army corps was ordered to advance upon Castelnovo, where it was to establish its headquarters. The division Ceralde was to advance directly upon this place, the divisions Sirtori and Brignone were to march upon S. Giustina and Sona; the division Pianelli to remain on the right bank of the Mincio. The Third army corps was to seize Somma Campagna and Villafranca, and the reserve cavalry to occupy Quaderni and Mozzecane. South the latter position, two divisions of the 2d army corps were stationed as a reserve at Roverbella and Marmirolo. The commander-in-chief of the Austrians, Archduke Albrecht, was under the impression that the Italians intended to march directly through the valley between the Mincio and the Adige, to secure a passage of the latter river, and then to effect a junction with Cialdini. He resolved to direct the main attack upon the left flank of the advancing Italians; and in the evening of the 23d ordered that his troops, on the morning of the 24th, should form a line running from Sandra over S. Giustina, Sona to Somma Campagna, then immediately advance so as to form the line of Castelnovo, S. Giorgio, and Somma Campagna. On the 24th of June, at 3 o'clock in the morning, the 9th Austrian army corps advanced from S. Lucia (near Verona) upon Somma Campagna; the Fifth army corps, which on the 23d had occupied Sona, advanced upon S. Giorgio, the reserve division, which had been stationed at Sandra, upon Castelnovo. The cavalry brigades, to the left of the 9th army corps, de-

NOTE.—On the map on page 361, the following letters and figures have been used to explain the position and movements of the two armies:

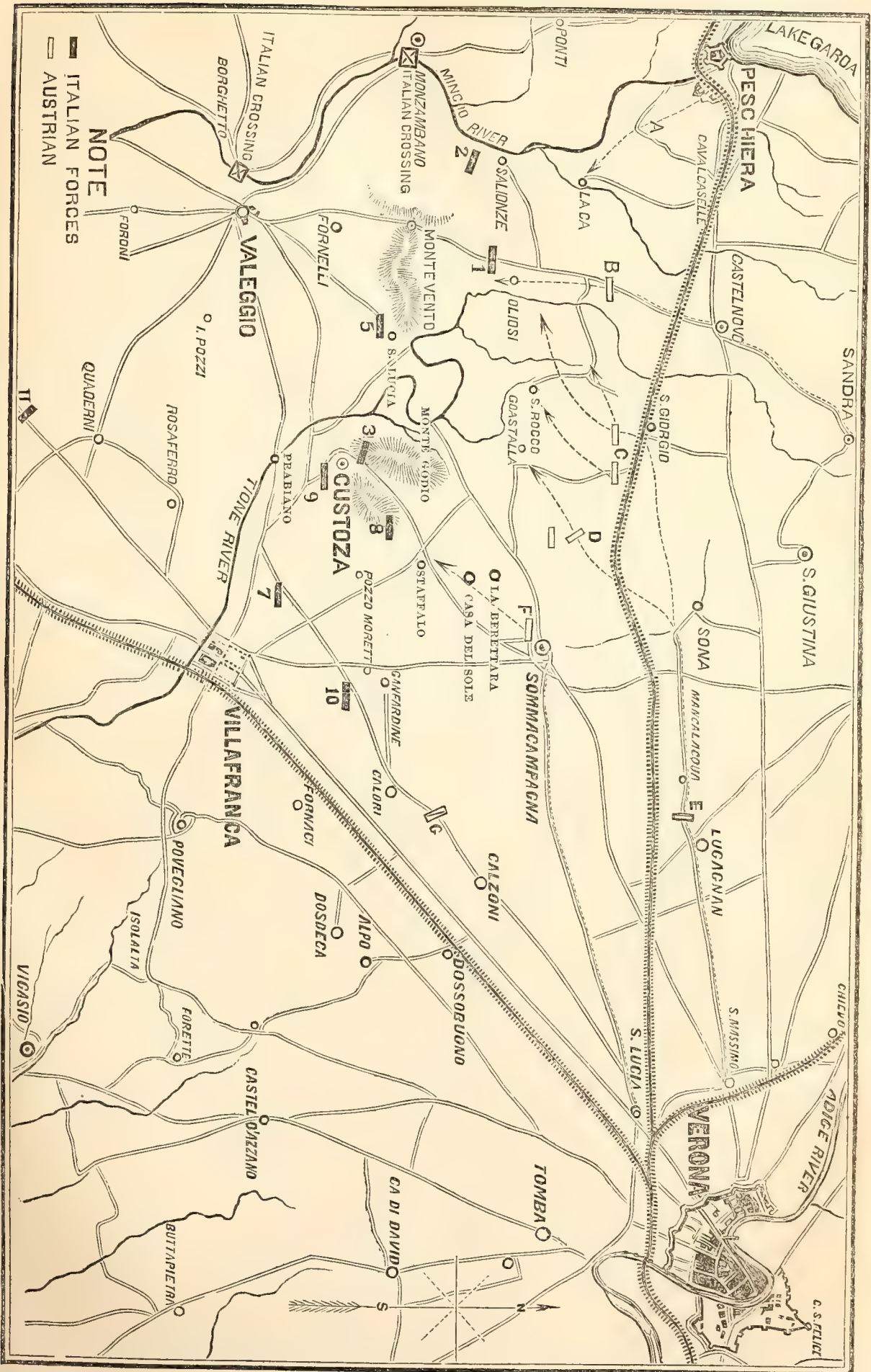
#### AUSTRIANS.

- A. Sortie of troops from the fortress of Peschiera.
- B. Reserve division of infantry.
- C. Fifth army corps.
- D. Brigade Scudier of Seventh army corps.
- E. Bulk of Seventh army corps.
- F. Ninth army corps.
- G. Reserve cavalry.

#### ITALIANS.

- I. Army corps (Durando).
  - 1. Divisions Ceralde of First army corps.
  - 2. " Pianelli " " "
  - 3. " Brignone " " "
  - 5. " Sirtori " " "
  - 8. " Cugia of Third army corps.
  - 9. " Goyone.
  - 7. " Bixio.
  - 10. " Crown prince.
- II. Reserve troops of Second army corps.







ployed in the plain. Early in the morning the battle began both upon the western and the eastern banks of the Tione. Upon the western bank the Austrian reserve division, coming from Sandra at 7 o'clock, met the vanguard of the Italian division Cerale and pushed it back upon Oliosi. Against this place the Austrians soon sent an additional brigade of the Fifth corps (from S. Giorgio), while two other brigades advanced upon S. Rocco. At 1 o'clock p. m., Cerale, bravely fighting, had to fall back before overwhelming numbers toward Monte Vento. He himself was wounded; one of the brigadiers, Villarey, killed. General Durando, the commander of the First corps, tried to rally the division, but was likewise wounded. At two o'clock the Austrians stormed the Monte Vento, and the division Cerale had to retreat to Valleggio. The pursuit of the Austrians was partly delayed by an advance of the division Pianelli from the right bank of the Mincio, which, together with other troops belonging to the First army corps, covered the retreat. After the evacuation of the Monte Vento, the division Sirtori, at S. Lucia (on the Tione), as its left flank was uncovered, had to retreat, amidst uninterrupted fighting, over Monte Mamarò to Valleggio. It was 3 o'clock when, thus, the entire left wing of the Italians had been dislodged from its position. On the eastern bank of the Tione the battle had been raging from an early hour in the morning near Custoza. The division Cugia, advancing upon Staffalo, and supported by the division of the crown prince, became engaged with the 9th Austrian corps, which had occupied Casa del Sole and Berettara. The division Brignone, led by La Marmora himself, while advancing from Custoza upon Monte Godio, was attacked by the brigade Scudier, of the 7th Austrian corps. The latter was soon reinforced by the two other brigades of the corps, while it forced the division Brignone to fall back upon Custoza. The division Govone was ordered to take the place of the division Brignone. Soon the 7th Austrian corps received large reinforcements from the Fifth corps, which had been successful at Monte Vento and S. Lucia; and now the fight raged again between Monte Godio, Staffalo, and Custoza, until 5 o'clock, when, entirely outflanked on the left, Cugia had to evacuate the heights of the Monte Torre and of Madonna della Croce, and to retreat upon Prabiano and Villafranca. The retreat of the Italians was made in good order. Not until 7 o'clock did the Austrians occupy Custoza. The Italians immediately withdrew their whole force across the Mincio, and subsequently even behind the Oglio.

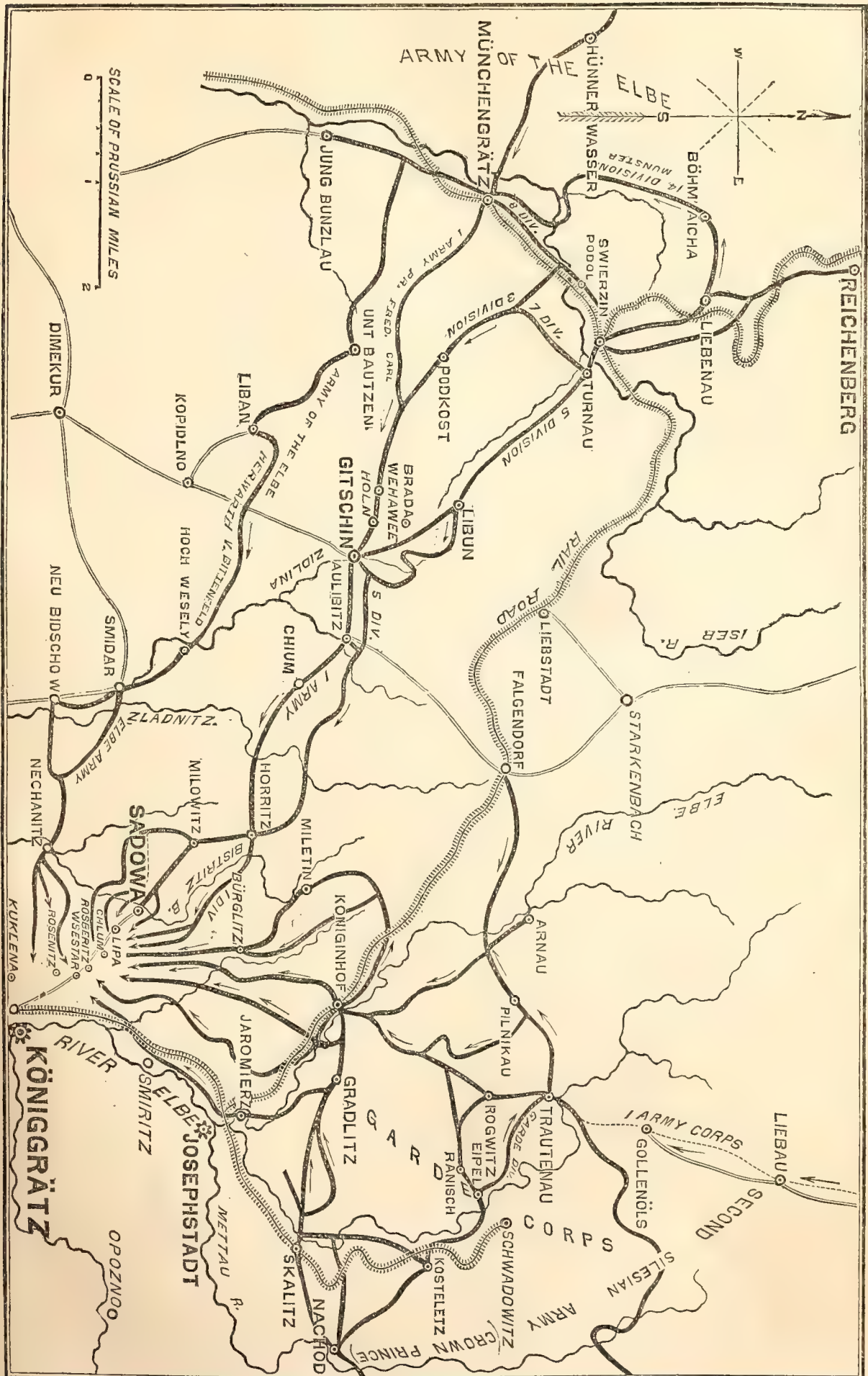
Cialdini, who was to have crossed the Po in the night from the 25th to the 26th, withdrew his troops from the river, and on the 28th established his headquarters at Modena, in order to be nearer the main army. The Austrians reported a loss of 960 killed, 3,690 wounded, and about 1,000 captured; while the loss of the Italians was stated at 720 killed, 3,112 wounded, and 4,315

missing. To the left of the main army of the Italians, Garibaldi, at the head of about 6,000 volunteers, was threatening the passes of Southern Tyrol. One band of volunteers crossed the frontier as early as the 22d, and thus gave to the Austrians a reason for complaining that the Italians had begun hostilities before the time agreed upon. Several skirmishes took place between the volunteers and the Austrians from June 22d to July 3d, but none of great importance; in one of them, near Bagolino, Garibaldi himself was wounded.

The Italian fleet was assembled on the middle of May at Taranto. The chief command was given to Admiral Persano, who divided it into three squadrons—a battle squadron, a reserve squadron, and a coast or siege squadron. On being informed of the declaration of war, the admiral, on the 21st of June, left the port of Taranto, and on the 25th anchored in that of Ancona. The Austrian counter-admiral, Tegethoff, who, in 1864, had distinguished himself in the German-Danish war, made on the 26th and 27th a reconnoissance off the port of Ancona, but withdrew without bringing on a fight.

*The War in Bohemia—The Advance of the three Great Prussian Armies—The Battle of Sadova or Königgrätz.*—At the time when the Prussians began hostilities against Saxony, Hanover, and Hesse-Cassel (middle of June), the Austrian army in Bohemia consisted of six complete army corps, two divisions of heavy and two divisions of light artillery, under the following commanders: 1st army corps (Bohemian), under Count Clam-Gallas, general of cavalry; 2d (Austrian and Styrian), under Field-marshal Lieutenant Count Thun-Hohenstein; 4th (Moravian and Silesian), under Field-marshal Lieutenant Festetics de Tolna; 6th (Hungarian), under Field-marshal Lieutenant Ramming; 8th, under Field-marshal Lieutenant Archduke Leopold; 10th, under Field-marshal Lieutenant von Gablentz. The divisions of heavy cavalry were commanded by Prince William of Schleswig-Holstein-Glücksburg and Major-General Zaitsek; those of light cavalry by Prince Francis Lichtenstein, general of cavalry, and Major-General Prince Emerich von Thurn and Taxis. Each of the six army corps was to count 30,000 men and 80 pieces of ordnance; each cavalry division 2,700 combatants, and 16 pieces of ordnance. The artillery reserve had 12 batteries or 96 pieces of ordnance. The whole Bohemian army was to consist of 190,000 with 640 pieces of ordnance. It was, moreover, to be reinforced by the 3d army corps, under Archduke Ernest, and to form a junction either in Bohemia or in Saxony with 23,000 Saxon troops. The whole army was placed under the chief command of Feldzeugmeister Benedek, the most popular general of the Austrian army. Chief of the general staff was the Baron von Henickstein, and quartermaster-general, General Krismanich. Austria hoped that the Bavarians, under command of Prince







Charles of Bavaria, the Hanoverians, and the 8th Federal army corps (the contingent of Württemberg, Baden, Hesse-Darmstadt, Hesse-Cassel, etc.), under command of Prince Alexander of Hesse, would aid them by an army of at least 150,000. It was generally expected that Benedek would assume the offensive, but this he was prevented from doing because his government had failed to make in time the necessary preparations. Thus the war began by an advance of the Prussians into Bohemia, and not, as had been expected, by an advance of the Austrians into Saxony and Silesia.

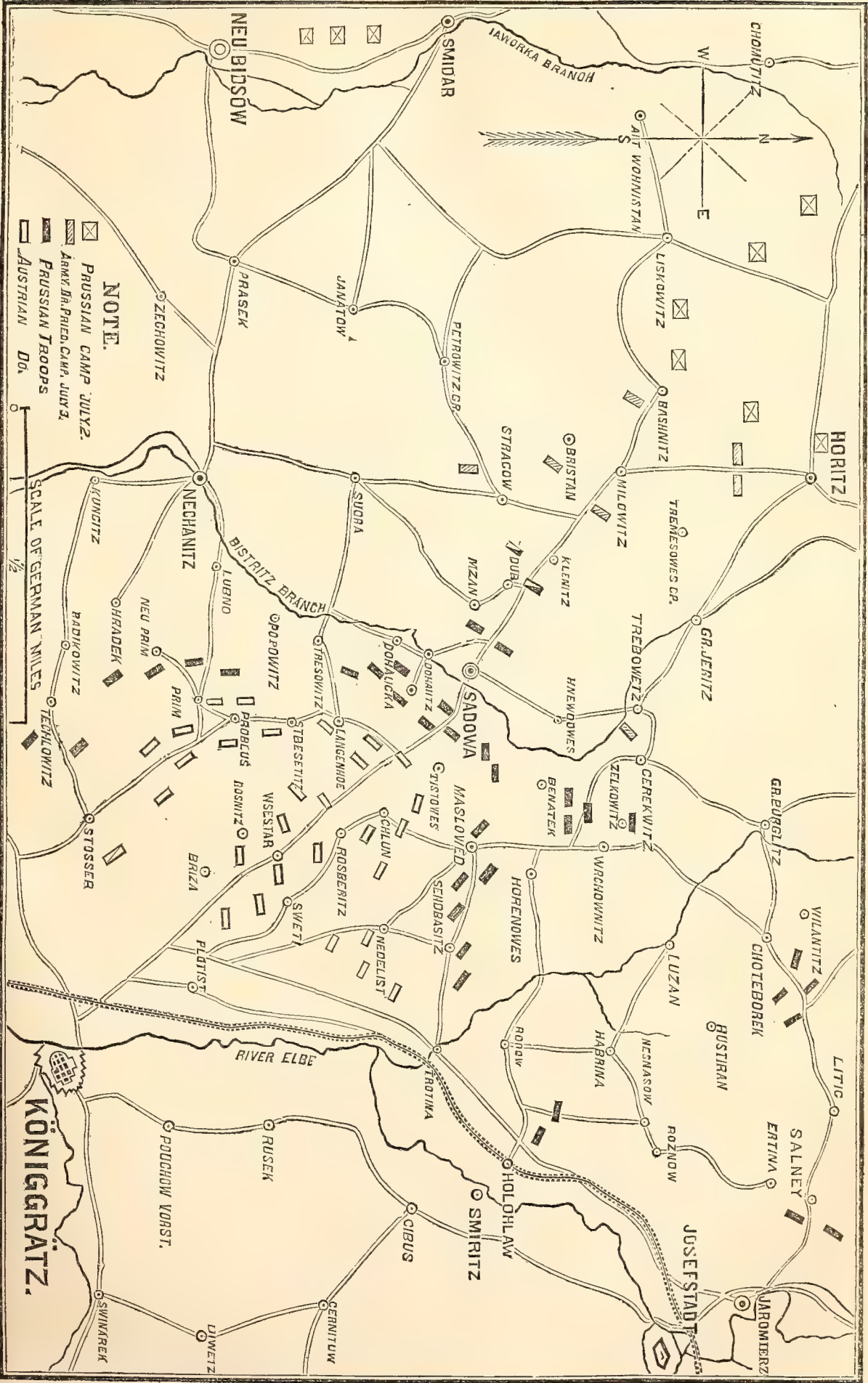
On the side of Prussia, eight and a half army corps were concentrated on the frontier of Saxony and Bohemia, and fully equipped, about the middle of May. The chief command of all these troops the king reserved to himself. He was to be accompanied to the seat of war by Count Bismarck, the minister of war (Von Roon), and the chief of the general staff, Von Moltke. The troops were divided into three armies. The First army (2d, 3d, 4th army corps, and the cavalry of the guard), under Prince Frederick Charles, a nephew of the king, was stationed along the Saxon frontier. The Second army (1st, 5th, 6th army corps, and the guard-corps), under the crown prince, was stationed in Silesia. The Army of the Elbe (8th army corps, and one division of the 7th) was under command of General Herwarth von Bittenfeld, near Halle, in Prussian Saxony. In Berlin, a reserve corps of eight regiments of the landwehr had been organized. The aggregate effective strength of the three armies was estimated at about 236,000 men, with 792 pieces of ordnance.

After the rapid occupation of the Kingdom of Saxony, which has already been referred to, the Prussians resolved to leave the reserve corps under General von der Mülbe, as a garrison in Saxony, and to march without delay all the three armies into Bohemia, and effect a junction as soon as possible. The First army and the Army of the Elbe were to enter Bohemia first, in order to engage the attention of Benedek, and to facilitate the march of the crown prince, who had to overcome greater obstacles in crossing the mountains between Silesia and Bohemia. The entry of the First army and the Army of the Elbe was not opposed by the Austrians, as the troops available in this direction (the 1st army corps, under Count Clam-Gallas) numbered only 60,000, against 120,000 Prussians. The main body of the army of the Elbe entered Bohemia near Rumburg and advanced upon Niemes and Hünnerwasser. Of the First army, the 4th army corps advanced from Zittau (in Saxony) upon Reichenberg, the first commercial city in Bohemia, while the 3d entered Bohemia near Görlitz. On the 24th Reichenberg was occupied by the vanguard of the First army. The 4th army corps on the 26th occupied Liebenau, from which, after a brief fight of artillery, the Austrians withdrew, partly to Turnau and

partly to Münchengrätz. An attempt of the Austrians to dispute the passage of the Iser at Podol (near Turnau) was unsuccessful. Another attempt to arrest the march of the Army of the Elbe at Hünnerwasser (June 27th) equally failed, and the retiring Austrian army was concentrated near Münchengrätz. The army of Prince Frederick Charles crossed the Iser at Turnau, three-fourths of a German mile above Podol, and the army of General Herwarth at an equal distance below Podol. Thus the union between the 120,000 men of the two armies was consummated. The united army advanced upon Münchengrätz, which Clam-Gallas evacuated after severe fighting. He fell back upon Gitchin (in Bohemian, Jicin), which, in the night from June 29th to June 30th, was stormed by the Prussians. Clam-Gallas, but little pursued, retreated to Nechanitz.

In the mean while, the Second army, under the crown prince, had also commenced operations. The first troops which crossed the frontier belonged to the 5th army corps, commanded by General von Steinmetz, who already enjoyed the reputation of being one of the ablest generals of the Prussian army. On the 26th, the village of Nachod (near the frontier) was occupied, the Austrian garrison falling back upon Neustadt. On the 27th a severe fight took place near Nachod (on the roads leading to Skalitz and Neustadt) between General von Steinmetz and the 6th Austrian (Hungarian), army corps, under Ramming, who had to fall back upon Skalitz, and lost, besides the killed and wounded, several thousand prisoners. About one-half of them entered a Hungarian legion which was forming in Silesia, under Klapka and Vetter. The 6th Austrian army corps was at once reënforced by the 8th, under Archduke Leopold, who had an engagement with the advancing Prussians on the 28th, near Skalitz, and was compelled to withdraw toward Jaromierz. The 1st Prussian army corps, under General von Bonin, had, on June 26th, advanced from Liebau (Silesia) to Goldenöls (Bohemia). On the 27th, Bonin advanced as far as Trautenau, but had to fall back before the larger Austrian force under General von Gablenz. The latter was then ordered to arrest the advance of the Prussian guard-corps, which (on June 26th) had entered into Bohemia from Braunau. He encountered these troops on the 28th, at Burgersdorf and Soor, and was compelled by them to abandon Trautenau, and to retreat to Königinhof. The Prussians lost about 1,000 men, while the Austrians had from 4,000 to 5,000 killed and wounded, and lost some 5,000 prisoners and ten pieces of ordnance. The total loss suffered up to this time by the 8th, 4th, and 10th Austrian army corps, was estimated at 15,000 men and twenty-four pieces of ordnance. On the 29th the Prussian guard-corps occupied, after some fighting, the town of Königinhof, on the Elbe, when, again, 400 Austrians were captured. On the same day, and on the 30th, the 5th Prussian army







corps (Steinmetz), reënforced by a part of the 6th, advanced, and, after successful skirmishes at Schweinschädel, Salney, and near Jaromierz, compelled the Austrians to fall back upon the latter town and Josephstadt, where, on the 30th of June, the 2d, 4th, 6th, 8th, and 10th army corps were concentrated. The Prussians were now enabled to establish a connection with the army of Prince Frederick Charles, and thus all their armies were united, presenting, on the 1st of July, a front extending from Smidar to Yaromierz, a distance of not more than six German miles. King William, on the 30th of June, had arrived at Reichenberg, to assume the chief command of the combined armies. As it was supposed in the Prussian headquarters that Benedek intended to act on the defensive, the king desired to give to the troops several days of rest. The movements of General Benedek, however, who, on the 2d of July, threw the bulk of his army across the Elbe, taking the Bistritz River as his front, showed the Prussians that they must expect an immediate attack, and Prince Frederick Charles determined to anticipate Benedek by being the first to assume the aggressive. His plan was approved at the headquarters of the king, and the crown prince ordered to advance with the Second army the next morning at 5 o'clock. The battle was begun by the First army at about 8 o'clock in the morning at and near the village of Sadowa, which lies on the road from Horitz to Königgrätz, where it crosses the Bistritz. At 10 o'clock the Army of the Elbe under Herwarth advanced against the Austrians from Nechanitz. Together, these two armies were much inferior in numbers to the Austrians, and no decisive advantages could be expected until the arrival of the army of the crown prince. The vanguard of the latter appeared upon the battle-field about 1 o'clock in the afternoon, and, although the Austrians fought invariably with the greatest bravery, soon decided the battle in favor of the Prussian arms. At 4 o'clock the whole of the Austrian army was retreating, hotly pursued by the Prussians. The losses of the Austrians were very great. Eleven flags, 174 pieces of ordnance, and 18,000 unwounded prisoners, fell into the hands of the Prussians. The total loss of the Austrians was estimated at 40,000 men; that of the Prussians at 10,000. Many of the Austrian generals were wounded. Among them were the Archdukes Joseph and William, and the corps commanders, Count Thun and Count Festetics. On the side of the Prussians, Prince Anthony of Hohenzollern-Sigmaringen was mortally wounded. The King of Prussia was during the whole day present in the thickest of the battle, and his presence largely added to the enthusiasm of the Prussian troops. The Austrian troops fell back upon Königgrätz. Feldzeugmeister Benedek was at once relieved from the chief command, which he was only to retain until the arrival of Archduke Albrecht, who was appointed his successor. General Clam-Gallas, Baron von

Henikstein, the chief of the general staff, and General Krismanich, the quartermaster-general, were arrested and sent to Vienna, there to be brought before a court-martial.

*The War in Northwestern Germany—Occupation of Nassau and Frankfort—Advance of the Prussians into Bavaria and Baden.*—After the surrender of the Hanoverians, on June 29th, all the Prussian troops which were to be employed for the occupation of Hanover and Hesse-Cassel were united into the "Army of the Main," under command of General Vogel von Falkenstein. The only Federal troops which joined this army were two battalions of Coburg-Gotha, and one battalion of Lippe-Detmold; together, 2,500 men. The whole army numbered, in three divisions (Göben, Beyer, and Manteuffel), about 47,000 men, with 90 pieces of ordnance. Of cavalry there were five regiments, or about 3,000 men. The Army of the Main was to conduct the operations against the Bavarians, constituting the 7th Federal army corps, under the chief command of Prince Charles of Bavaria, the grand-uncle of the king, and against the eighth army corps, which, under the command of Prince Alexander of Hesse, formerly a general in the Austrian army, contained the contingents of Würtemberg, Baden, Hesse-Darmstadt, Hesse-Cassel, and Nassau. The Bavarians had about 44,000 men and 144 pieces of ordnance, while the 8th Federal army corps, which had been reënforced by one division of Austrian troops, was estimated at 47,000 men and 144 pieces of ordnance. The original plan of the Prince of Bavaria was to form a junction with the 8th Federal army corps, and by moving northward toward Fulda, to assume the offensive against Prussia. When he was informed of the movements of the Hanoverians, he made an effort to hasten to their aid, and on the 30th occupied Hildburghausen and Meiningen. In the latter town, where he established his headquarters, he learned that on the day before the Hanoverian army had capitulated. He now resumed his original plan, and resolved to move westward upon Fulda. While advancing in this direction he encountered the Prussians on July 4th, at Dermbach and Rossdorf. After a severe fight, which lasted from eight o'clock in the morning to four in the evening, and in which 20,000 Bavarians and 12,000 Prussians were engaged, the Bavarians had to retreat. Their total loss was about 480 in killed and wounded, and 370 missing; the Prussians had 400 men killed and wounded. General Vogel von Falkenstein, regarding the Bavarians as a more dangerous enemy than the 8th Federal corps, resolved to march with the main part of his army against them. The Bavarians, on July 10th, offered some resistance at Kissingen (the well-known watering-place), and disputed the passage of the (Franconian) Saale; but they were again defeated with a loss of 1,261 (77 killed, 392 wounded, and 792 missing). The Prussians crossed the Saale, and General Falkenstein was, on the evening of the 10th, in



Kissingen. The Bavarians, as the 8th Federal army corps had nowhere been seen, resolved to retreat behind the Main.

General Falkenstein, before pursuing the Bavarians across the Main, deemed it best first to clear the whole country north of the Main of hostile troops, and therefore turned westward against the 8th Federal army corps. On the 13th the vanguard of the Thirteenth division (Goeben) was attacked at Laufach by three battalions of the troops of Hesse-Darmstadt, who with considerable loss were pushed back upon Aschaffenburg. In and near this city the Prussians had, on the morning of the 14th, engagements with the Austrians and other divisions of the Federal army corps, who were soon compelled to evacuate the city, and fall back behind the Main. Two thousand Austrians were cut off in Aschaffenburg from retreat, and captured. Most of them were Italians, who surrendered rather than were captured, and received the Prussians with the cry: "*Evviva l'Italia! Evviva la Prussia!*"

After the engagement at Laufen, Prince Alexander of Hesse transferred his headquarters to Frankfort-on-the-Main. But when he received the news of the passage of the Saale by the Prussians, he concluded to withdraw his whole corps to the southern bank of the Main, and to effect a junction with Prince Charles of Bavaria, and he notified the rump Diet that he was unable any longer to protect them. The members of the Diet consequently left for Augsburg. On July 16th the first Prussian troops entered the city. General Falkenstein issued a proclamation, in which he assumed the administration of the Duchy of Nassau, of the city of Frankfort, and of those districts of Bavaria and Hesse-Darmstadt which had been occupied by the Prussian troops. He imposed upon the city Frankfort a contribution of six million florins. In a letter to the king he recapitulated the operations of the Army of the Main since the 1st of July, stating that since then he had prevented the junction of the Bavarian and the 8th Federal army corps, driven back the Bavarians after a number of successful engagements across the Main, defeated the 8th Federal army corps at Laufach and Aschaffenburg, and occupied the city of Frankfort; that the enemy, after suffering a loss of more than 5,000 men, was south of the river Main, and the whole country north of the Main in possession of Prussia. On July 19th General Falkenstein was recalled from the chief command of the army of the Main, and appointed governor of Bohemia. He was succeeded by General von Manteuffel, who at once imposed upon the city of Frankfort an additional sum of twenty-five million thalers. Frankfort violently remonstrated, and one of the senators implored the intervention of the French, English, and Russian Governments. This step was without effect, but appeals to the King of Prussia subsequently effected a reduction of the demanded sum.

From the 16th to the 20th of July the Army of the Main was reënforced by some landwehr troops, and by a brigade, consisting of the troops of Oldenburg, Hamburg, Bremen, and Lübeck. The loss of the army thus, from all causes, was about 5,000; the reënforcements 10,000; the whole army was thus increased to 50,000. Of these, 10,000 remained behind for the defence of the line of the Main, leaving to General von Manteuffel 40,000 for aggressive operations. Princes Charles of Bavaria and Alexander of Hesse still had under their orders an aggregate force of 80,000; but there was among them an utter want of concert, and, instead of effecting a junction of their troops, they carried on a literary controversy on their failure to effect a junction of their troops, and on the cause of the Prussian success. On July 21st the operations of the Army of the Main were resumed. The Bavarians were concentrated at Würzburg, and the 8th Federal army a few miles west of Würzburg, on the Tauber. A distance of only a few miles separated the two armies, but nevertheless there was no coöperation. Amidst constant skirmishes, the Prussians, from the 23d to the 25th, drove the Federal troops back across the Tauber toward Würzburg. The most serious engagements were those at Hundheim (July 23d), Bischofsheim (July 24th), Gerichsheim and Helmstadt (July 25th). The retreat of the Federal troops upon Würzburg, for the first time brought about a union of all the forces opposed to the Prussians. They still mustered from 70,000 to 75,000 men against a Prussian force counting no more than one-half that number. The Prussians, nevertheless, continued their advances. On July 26th they came into contact with the first Bavarian troops, who, after some firing, fell back toward Würzburg. On the 27th an advance of the whole Prussian line against Würzburg was ordered. The division of General Göben was ordered to attack Fort Marienberg, and began firing upon the fort early in the afternoon. When the firing had lasted about two hours, information was received from the Bavarian headquarters, that, at the headquarters of King William at Nikolsburg, a truce had been agreed upon, which was to end on the 2d of August. As General Manteuffel had not yet received any notification from his own government, he only agreed to a truce of 24 hours. Soon the news received from the Bavarians was confirmed, and accordingly a cessation of hostilities between the Army of the Main and the Bavarians arranged. The truce did not formally include the troops contained in the Federal army corps; but it was known that all the States belonging to the 8th army corps were represented by agents at Nikolsburg, and hostilities between this corps and the Prussians ceased therefore likewise. The 8th army corps dissolved without waiting for the 2d of August. The troops of Baden marched home on July 30th; those of Würtemberg left on the same day; the Austrians went home through Munich, and the troops of Hesse-Darmstadt



through Mannheim into the province of the Rhine-Hesse. The Prussian troops took up quarters between Mühlbach, Wintershausen, Bischofshausen, Werthheim, and Lohr, General Manteuffel establishing his headquarters at Heidingsfeld, south of Würzburg.

As Austria after the battle of Königgrätz seemed to be determined to continue the war against Prussia with greater efforts than before, it was resolved at the Prussian headquarters to concentrate at Leipsic a second reserve army corps under the chief command of the Grand-duke of Mecklenburg-Schwerin. This army was composed of 3 Prussian brigades, 2 divisions of Prussian artillery, 1 brigade of Mecklenburg-Schwerin, and 1 brigade of Brunswick and Saxe-Altenburg; altogether 25 battalions, 16 squadrons, and 11 batteries, or 20,000 infantry and 2,000 cavalry. The Grand-duke of Mecklenburg-Schwerin was assisted in the command of the corps by the Prussian lieutenant-general von Horn, who in the Bohemian campaign had distinguished himself as leader of the 8th Prussian division. The new army corps was directed to invade Bavaria from the northeast, and thus to coöperate with the Army of the Main. The corps left Leipsic on July 20th, and arrived at Baireuth on July 28th, the same day when General Manteuffel had agreed upon a truce. On the 29th the Grand-duke of Mecklenburg, in the name of the King of Prussia, took possession of the Bavarian province of Upper Franconia. On the same day an engagement took place between the Prussian troops and a Bavarian battalion, in which 209 men of the latter were captured. Soon after the Prussian commander was notified of the truce concluded between Prussia and Bavaria, and hostilities ceased.

Besides the Prussian armies already mentioned two other bodies of troops had invaded Bavaria during the last days of the war. The 1st reserve army corps, under command of General von der Mülbe, had penetrated from Bohemia into the Upper Palatinate, and on the 29th another corps had been marched into Rhenish Bavaria. On August 1st a body of Prussian troops took possession of the cities of Heidelberg and Mannheim, in Baden.

*The War in Italy during the Month of July. The Naval Battle at Lissa.*—Immediately after the Emperor of Austria had offered to Louis Napoleon the cession of Venetia, the larger portion of the Austrian army in Venetia was withdrawn in order to be employed against the Prussians. Besides the garrison of the fortresses only the corps of Field-marshal Lieutenant Marochich remained in Venetia, and a small body of regular troops, reënforced by provincial riflemen in the Tyrol, under the command of Major-General Kuhn.

Thus the Italians met with but little resistance to their new advance into Venetia, which this time took place under command of General Cialdini. The government placed at first nine divisions under the immediate command of Cialdini. In the third week of July the num-

ber of these divisions was increased to fourteen, which were divided into five army corps, namely: four army corps of the line (each of three divisions), under the command of Generals Cadorna, Pianelli, Brignone, and Petitti, and a reserve army corps under General de Sonnaz. Cialdini began his operations on July 5th, by concentrating a considerable artillery force before the works of Borgoforte, on the Po. After bombarding these forts for a few hours, he left the siege of Borgoforte to the Fourth division, under command of General Nunziante, and followed his other divisions which had marched down the Po. In the night from the 7th to the 8th of July three bridges were thrown across the Po, one for the left wing of the army at Carbonarola, one for the centre of the army at Sermide, and one for the right wing at Felonica. On the 8th seven divisions of Cialdini's army crossed the Po. The next movement was a march to the right for the occupation of the road leading from Ferrara over Rovigo to Padua. On this road new military bridges across the Po were constructed at Ponte Lagoseuro and Santa Maria. During the night from the 9th to the 10th of July the Austrians blew up their works at Rovigo and the railroad bridge over the Adige at Boara. On the next day Cialdini established his headquarters at Rovigo. Having thus secured the passage of the Adige, the Italians marched upon Padua, which was occupied on the 14th. To all these operations no resistance was offered by the Austrians.

The siege of Borgoforte by General Nunziante lasted from the 5th of July until the 17th. On that day the Austrian forts of Monteggiana, Rocchetta, and Bocca di Gauda were silenced; and the Austrian garrison left Borgoforte in the night and withdrew to Mantua. In occupying Borgoforte on the next day, the Italians found several magazines and more than 70 pieces of ordnance.

Cialdini, in the mean while, had united his divisions near Padua, and resumed his advance movement on July 19th. As Napoleon strongly urged the Italian Government to conclude a truce, it was of great importance to occupy previously as much territory as possible. Cialdini commanded about 70,000 men, and expected to have an additional reserve of 70,000 men. The Austrians had no more than 35,000 men at their disposal. One division of Cialdini was sent to Vicenza, which since July 15th had been occupied by a vanguard. All the other troops advanced to the northern bank of the Brenta. The right wing, under the provisional command of Cugia, marched upon Meytre, in order to invest Venice on the land side, and to coöperate with the fleet which lay off the Dalmatian island of Lissa, after the occupation of which it was to move against Venice. The centre of the army, under command of Cadorna, was to proceed through Treviso and along the main road to Isonzo River. The left wing was to invade the Southern Tyrol from the southeast. The reserve corps was to watch the line of the Adige.



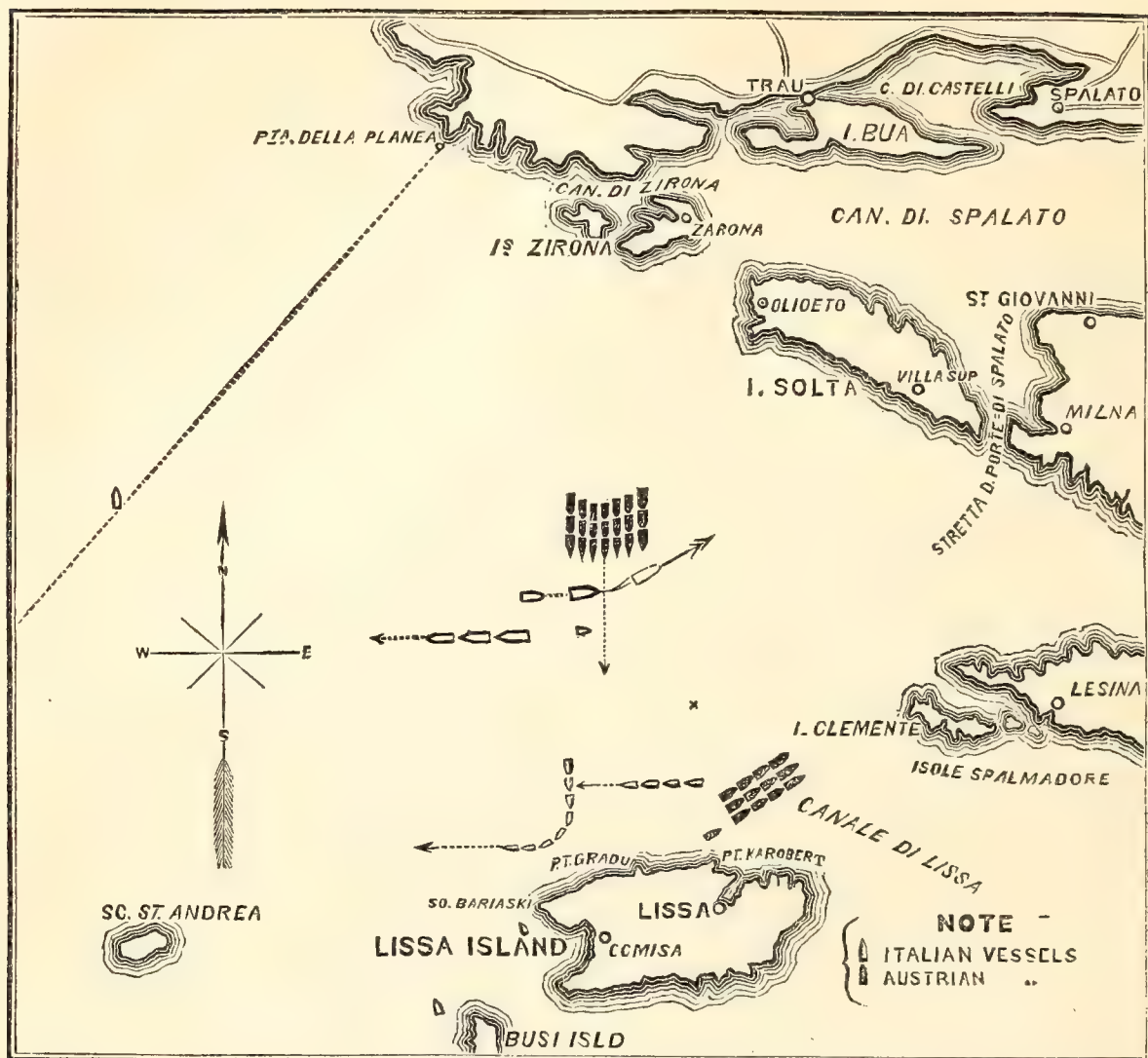
The volunteer corps of Garibaldi had, in the mean while, been enlarged, and consisted about the middle of July of ten regiments or five brigades, and two battalions of bersaglieri; altogether it numbered about 12,000. It was to coöperate with the left wing of Cialdini by invading the southwestern part of the Tyrol. The main line of operation proceeded from Idro Lake along the Chiese River, from there to the valley of the Sarca River, and from there through Vezzano against Trent. Some detachments were to operate north of this line for purposes of observation and defence. The Austrians had strongly fortified all the passes of this mountainous region. The chief fortifications were Fort Lardaro (between the valleys of the Chiese and the Sarca) and the castle of Doblino, east of the Sarca River, on the main road to Trent. Only half a German mile from the Italian frontier, on the road from the Chiese to Riva (on the Garda Lake), were Fort Ampola and Fort S. Theodosio. After crossing the frontier on the 13th and 14th of July, Garibaldi established his headquarters at Storo. On the 19th he captured Fort Ampola. On the 20th his troops had engagements with a superior force of the Austrians at the chapel of Locca, at Bececca, and Santa Lucia. The volunteers lost 500 killed and wounded, and a considerable number of prisoners (about 1,000, according to Austrian accounts). The Austrians, however, derived no material advantage from the fighting, and had to fall back to their former position. All the other engagements were of little account. In the northern corner of Lombardy the Austrians made raids as far as Bormio, without gaining, however, any lasting advantage. Of the Garda Lake a small Austrian fleet kept during all this time undisputed control, as the Italian Government had altogether forgotten to make any preparation for the possession of this lake, which would have been of the greatest importance for the conquest of Southern Tyrol. At the time when the truce was declared, the troops of Garibaldi had advanced nowhere more than two German miles from the frontier.

The left wing of Cialdini's army, consisting of the division of General Medici, which was to invade Southeastern Tyrol, numbered about 10,000 men when it reached Bassano (July 21). The Austrians had no more than 700 men at the village of Primolano on the frontier, who, before the advancing columns of Medici, fell back toward Grigno. Having been reënforced and now numbering about 2,000 men, the Austrians tried to arrest the Italians on July 23d, at Borgo di Val Sugana, but they were defeated and pursued by the whole division of Medici to Levico, which place they had likewise to evacuate during the night. The last engagement took place on the 25th at Vigolo, a village south of the lake of Caldonazza, and about a German mile from the railroad leading from Trent to Verona. Then the proclamation of the truce put an end to hostilities.

The Italian fleet had remained inactive much

longer than the government and public opinion expected. At length, when Cialdini advanced into Venetia, Persano had to yield to the pressure brought upon him. The first task assigned to him was the capture of the island of Lissa, belonging to the Austrian province of Dalmatia. Lissa lies about twenty miles south of the seaport town of Spalato. Between it and the continent are the islands of Lesina, Brazza, and Solta. By a submarine telegraph it is connected with Lesina and Spalato. The Austrians kept upon the islands stores of coal, provisions, ammunition, and other war material. The two chief ports of the islands, S. Giorgio and Comisa, were strongly fortified. The Italian fleet left Ancona July 16th, consisting at that time of 28 vessels, namely: 11 iron-clads, 4 screw frigates, 1 screw corvette, 2 wheel corvettes, 4 avisos, 4 gunboats, 1 hospital vessel, and 1 store-ship. One aviso was sent to the promontory of Gargano, there to await several vessels which were expected from Tarento and Brindisi, especially the ram *Affondatore*, and to direct them to Lissa. On the 17th, in the evening, the fleet was rejoined by the chief of Persano's staff, who had visited Lissa in disguise on board a merchant vessel, for the purpose of obtaining trustworthy information of the enemy's works and the best places of landing. The attack upon Lissa began on the 18th. Counter-admiral Vacca bombarded the fortifications of the port of Comisa, and Vice-admiral Albini attempted to effect a landing at Porto Manego, but both soon saw that their efforts would be unsuccessful. Persano with the bulk of the ironclads had attacked the chief fort of San Giorgio and silenced the Austrian forts on the entrance of the port, save one battery. On the 19th, in the afternoon, the attack upon S. Giorgio was renewed, and an attempt made to effect a landing at Porto Carobert; but the operations were again unsuccessful. On the 20th, the Austrian fleet, under command of the Counter-admiral Tegethoff, arrived from Fasana for the purpose of raising the investment of Lissa. The Austrian fleet was divided into three divisions; the first consisting of seven iron-clads, under command of Tegethoff; the second, containing seven heavy wooden vessels, under command of Commodore Petz; the third, containing seven light wooden vessels. Inclusive of four avisos, the Austrian fleet numbered 25 vessels and 500 guns. Persano, in the mean while, had received reënforcements, and his fleet consisted of 34 vessels. Although he had reason to expect the arrival of the Austrian fleet on the 20th, Persano ordered a new attempt at landing to be made on the morning of this day by the wooden fleet, under command of Albini, at Porto Carobert, and again dispatched two iron-clads for the bombardment of the port of Comisa. Thus, when the approach of the iron-clads was signalled, only ten iron-clads out of the fleet of thirty-four vessels were ready for battle. They were formed into three groups: one, containing the *Maria Pia*, *Varese*, and *Re di Portogallo*





(flag-ship), under command of Commodore Ribbott; the second, consisting of the *S. Martino*, *Palestro*, *Affondatore*, and *Re d'Italia*, the last-named of which carried the flag of Persano; the third, comprising the *Ancona*, *Castelfidardo*, and *Principe di Carigno* (flag-ship), under command of Vacca. When the three divisions had been formed into battle array, Persano left the *Re d'Italia* and went on board the *Affondatore*, which he withdrew behind the line, thus leaving only nine vessels opposed to the Austrians. The encounter of the two fleets began at about nine o'clock in the morning. The Austrian fleet were sailing from north to south in three lines of seven vessels each, the iron-clads constituting the first lines. Of the three divisions of the Italian fleet, Vacca commanded the van, and Ribbott the rear. Tegethoff, noticing a gap between the divisions of Vacca and the centre division, dashed into this gap, and bore down with all his iron-clads and three wooden vessels upon the centre division of the Italian fleet, and in particular upon the *Re d'Italia*. This vessel made a most gallant resistance, but finally it was sunk. The *Palestro* (Captain Capellini), which hastened to the aid of the *Re d'Italia*, caught fire. Persano sent

two vessels to save the crew, but the captain refused to leave the vessel, and heroically perished with nearly all his men. The division of Vacca and that of Ribbott, having in the meanwhile sailed northward, passed the Austrian iron-clads, attacked the wooden vessels of the Austrians simultaneously from the east and the west, and seriously damaged the flag-ship *Kaiser*. But before greater injury could be inflicted upon this part of the Austrian fleet, the Austrian iron-clads returned to its aid after the destruction of the *Re d'Italia* and the *Palestro*. The battle still continued furiously for some time, but without the loss of any other vessel on either side. At about two o'clock the Italian fleet, now headed by the *Affondatore*, sailed westward, and as the Austrians did not follow, the battle came to an end. The Italians returned to Ancona, and the Austrians, on the next day, to Fasana. The loss of the Italians was about 900, all (with the exception of 8 killed and 40 wounded) belonging to the *Re d'Italia* and the *Palestro*. The Austrian loss was also considerable, the *Kaiser* alone having 22 killed and 82 wounded. The Austrian Government rewarded Tegethoff by immediately appointing him admiral. The Italians, both in



official and unofficial reports, at first represented this battle as a great Italian victory; but soon the truth was found out, and a universal outcry of popular indignation demanded the punishment of Persano. The chief charges brought against him were the following: that, after all the enormous expenses made for the fleet, there was a want of artillery; that the attack was upon Lissa, but not upon Pola, which latter plan would have secured coöperation with the movements of the army against Istria; that, by leaving the Re d'Italia and going on board the *Affondatore*, he disturbed all the movements of the Italian fleet; that, although expecting the approach of the Austrians, he divided his fleet by ordering simultaneous attacks upon San Giorgio and Porto Comisa, and a new attempt at landing. Persano was tried first before a court-martial, and again before the Senate. The trial lasted until April 1867, when, in accordance with the finding of the court-martial, he was cashiered from the naval service on the ground of "incapacity and disobedience."

While the left army of Cialdini invaded Southeastern Tyrol, and Persano made the unfortunate movement against Lissa, the Austrians evacuated the whole of Venetia, with the exception of the fortresses. General Maroichisch fell back, in succession, behind the Piave, the Livenza, the Tagliamento, and finally behind the Isonzo. Only Palmanova remained in possession of the Austrians, having a garrison of 3,500 men. On the 26th Cialdini established his headquarters at Udine. Cugia, the commander of the right wing, made preparations for the bombardment of the forts near Chioggia and Venice; the whole of the reserve corps followed the main army into Venetia, and one part of it was to divert the attention of the garrisons of Verona and Legnano from other points. Only one engagement took place between the retreating Austrians and the advancing Italians (on the 26th, between Visco and Versa); soon after, on July 29th, an armistice was agreed upon. On the whole, the line of the Judrio was taken as the line of demarcation between the two armies; the road from Goritz to Palmanova remained to the Austrians.

*Close of the War in Germany—Battle of Tobitschau—The Preliminary Peace of Nikolsburg.*—From the battle-field on Königgrätz the Austrian troops had on July 3d withdrawn to the left bank of the Elbe. On the next day Benedek with the main portion of his army began to retreat in forced marches to Olmütz, in Moravia. Only the 10th army corps and one cavalry division were sent through Brunn to Vienna, to unite with the troops expected from Italy within the fortifications of Florisdorf, near Vienna. The capture of Austrian dispatches revealed to the Prussians the new plan of Benedek, and accordingly the advance of the Prussian army was arranged as follows: in the centre, the First army corps, under Prince Frederick Charles, advanced over Chrudim and Neustadt upon Brunn. Upon the right wing

the Army of the Elbe, under General Herwarth von Bittenfeld, marched upon Iglau. Upon the left wing the Second army corps, under the crown prince, proceeded toward Olmütz, or rather south of it, upon Prossnitz. The Army of the Elbe reached Iglau without encountering any resistance; and without delay continued its march upon Znaym (only forty miles from Vienna), which was occupied by the vanguard on the 14th. The army of the crown prince, in its march upon Prossnitz, did not meet with any Austrians, but was considerably delayed by the bad condition of the roads. The vanguard reached Prossnitz on July 14th. On the same day it was resolved at the headquarters of the crown prince, in accordance with a proposition made by General von Blumenthal, one of the ablest officers of the Prussian army, to leave one army corps behind to watch the fortress of Olmütz, and to advance with the bulk of the army, in order to occupy the railroad from Prerau to Vienna, and thus to preserve the communication with the army of Prince Frederick Charles.

In the mean while the French emperor had continued his efforts for bringing about an armistice, and, in the night from the 12th to the 13th of July, a secretary of the French legation took from the Prussian to the Austrian headquarters the conditions under which the King of Prussia was willing to consent to an armistice of three days. The conditions were not accepted by Austria; some counter propositions made by Austria were, on the other hand, rejected by Prussia. A proclamation issued by the Archduke Albrecht, on assuming, on the 13th, the chief command, was again very warlike, and showed a determination on the part of Austria to make one more great effort to defeat the Prussians. At the same time General Benedek, then at Olmütz, was ordered to leave a strong garrison at Olmütz, and to lead the remainder of the army to Vienna. At this time Benedek had under his command about 100,000 men. Of these he left 25,000 at Olmütz; the remainder—75,000—were to move in three army corps on the 15th, and secure a point on the railroad to Vienna south of the places held by the Prussians, in order to use the railroad for the further retreat upon Vienna. The brigade of General Rothkirch was ordered to seize Tobitschau, in order to cover the march of the main body of the army upon Prerau. On the same day, while the bulk of the Second army began its march southward, the reserve cavalry division of General von Hartmann was sent upon a reconnaissance to Prerau, and the 3d division of Prussian infantry, under General Malotki von Trzebiatowski, to support this movement, was ordered to seize Tobitschau and Trabeck. Thus a severe engagement was brought about at and near Tobitschau, which lasted until two o'clock in the afternoon, when the Prussians received large reënforcements, before which the Austrians fell back to Olmütz. The Aus-



trians lost about 1,000 men and 17 pieces of ordnance, while the Prussians sustained a loss of about 300. The Prussians advanced slowly, and did not occupy Prerau until the 17th. Benedek, on the other hand, who, on the 15th, had advanced on the railroad from Prerau to Hulein, now deemed it necessary to abandon the railroad, retreat over Freistadt, Holleschau, Wisowitz, Slawitschin, and across the Carpathians to Trentschin into Hungary. From there he continued his march along the Waag and through Leopoldtsstadt, Tynau and Bösing to Presburg, where he expected to form a junction with the army which the Archduke Albrecht had assembled at Vienna.

When the Austrian counter propositions for an armistice had been rejected by the King of Prussia, the advance of the three Prussian armies was resumed. The Army of the Elbe advanced from Znaym in the direction of Klosterneuburg, on the Danube, sending out detachments to the right as far as Krems, and to the left as far as Wilfersdorf, in order to maintain the connection with the army of Prince Frederick Charles. The latter, on the 16th, occupied the important railroad junction of Lundenburg, and on the 19th advanced as far as Gänserndorf, at the junction of the railroads leading to Vienna and Presburg. It also secured the passage over the March at Marchegg. The headquarters of the King of Prussia were, on the 17th of July, established at Nikolsburg. On his arrival at Nikolsburg he met the French ambassador, Benedetti, who was instructed by his government to continue his efforts for bringing about a peace. Austria now was disposed more favorably toward peace, as the interruption of communication between Benedek and Archduke Albrecht, the proclamations of Prussia to the Czecks of Bohemia, and the movements of the Hungarian Legion under Klapka, which was on the point of invading Hungary, threatened new dangers. Accordingly, the Cabinet of Vienna declared, in the evening of the 21st of July, its readiness to conclude an armistice of five days upon the basis of the Prussian propositions, and in the morning of the 22d July it was agreed that the armistice was to begin on the same day at noon.

On the 21st, the 8th division of infantry (of the army of Prince Frederick Charles), which had crossed the March at Göding, had advanced as far as Stampfen, near Presburg. On the same day, the 7th division crossed at Marchegg and joined the 8th. Both were placed under the command of General Frankschky, who was ordered to make a reconnaissance toward, and, if feasible, an advance upon Presburg. This movement was executed in the morning of the 22d, when at Blumenau, near Presburg, a severe engagement occurred with an Austrian brigade, which was gradually reinforced by all the brigades of the 2d army corps. The engagement was still undecided when it was terminated by the official announcement of the armistice. Several days

later the garrison of the Austrian fortress of Theresienstadt in Bohemia, being unacquainted with the armistice, made a sortie against the Prussian troops guarding the railroad from Turnau to Prague, and captured several hundred prisoners, who were returned.

*Preliminary Peace of Nikolsburg—Treaties of Peace concluded at Prague, Berlin, and Vienna.*—On the 26th the representatives of Austria and Prussia agreed on a truce at Nikolsburg. The definitive peace was signed at Prague on the 30th of August, as follows:

1. Peace and friendship shall prevail in future and forever between the King of Prussia and the Emperor of Austria, their heirs and successors, their states and subjects.

2. In order to execute article 6 of the peace preliminaries concluded at Nikolsburg, and after the Emperor of the French has officially declared at Nikolsburg, upon the 29th of that month, through his ambassador accredited to the King of Prussia, "that Venetia, after the conclusion of peace, would be transferred to Italy," the Emperor of Austria also accedes to this declaration, and gives his consent to the union of the Lombardo-Venetian Kingdom with the Kingdom of Italy, without any other compulsory condition save the liquidation of those debts which shall be recognized as incumbent upon the ceded territories, in accordance with the precedent of the treaty of Zürich.

3. The prisoners of war on both sides shall be at once released.

4. The Emperor of Austria recognizes the dissolution of the hitherto-existing Germanic Confederation, and gives his consent to a new organization of Germany, without the participation of the Austrian Empire. His majesty equally promises to recognize the closer federal relation the King of Prussia will establish to the north of the Main line, and declares himself agreed that the German States situated south of this line shall conclude a union, the national connection of which with the North German Confederation remains reserved for further agreement between both parties, and which shall possess an international independent existence.

5. The Emperor of Austria transfers to the King of Prussia all his rights to the duchies of Holstein and Schleswig acquired by the Vienna treaty of October 30, 1864, with the understanding that if the populations of the northern districts of Schleswig shall manifest by free voting the wish to be united to Denmark, the districts in question shall be ceded to Denmark.

6. By the desire of the Emperor of Austria, the King of Prussia declares himself ready to permit the present territory of the Kingdom of Saxony to occupy the extent it has hitherto enjoyed, reserving to himself on the other hand to determine more exactly the contribution of Saxony to the cost of the war, and the future position of the Kingdom of Saxony within the North German Confederation by special peace treaty to be concluded with the King of Saxony. On the other hand, the Emperor of Austria promises to recognize the new arrangements to be established by the King of Prussia in North Germany, including the territorial changes.

7. In order to come to a settlement as to the property of the hitherto-existing confederation a commission shall meet at Frankfurt-on-the-Main within at least six weeks after ratification of this present treaty, at which all demands and claims upon the Germanic Diet are to be brought forward, and liquidated within six months. Prussia and Austria will send representatives to this commission, and all other members of the hitherto-existing confederation are at liberty to do the same.

8. Austria remains entitled to remove or otherwise



dispose of the imperial property in the Federal fortresses, and to adopt a similar course with the acknowledged share of Austria in movable Federal property. The same holds good of the entire movable property of the Confederation.

9. The officials, servants, and pensioners belonging to the staff of the Diet are secured the pensions to which they are entitled, or that have been already granted *pro rata* of the scale. The Prussian Government, however, undertakes the pensions and assistance-moneys to officers of the former Schleswig-Holstein army and their relicts, hitherto defrayed from the Federal funds.

10. The amounts of the pensions granted by the Austrian viceroy in Holstein remain secured to the parties interested. The sum of 449,500 Danish rix dollars in four per cent. Danish state bonds, in the custody of the Austrian Government, and belonging to the Holstein finances, shall be returned thereto immediately after ratification of this present treaty. No natives of the duchies of Holstein and Schleswig, and no subject of their majesties the King of Prussia and the Emperor of Austria, shall be prosecuted, disquieted, or injured in person or property on account of his political conduct during the recent occurrences and the war.

11. The Emperor of Austria engages, in order to cover part of the cost incurred by Prussia in the war, to pay the King of Prussia the sum of forty million Prussian dollars. From this sum, however, shall be deducted the amount of the war costs the Emperor of Austria, by article 12 of the aforementioned Vienna treaty of October 30, 1864, has still to claim from the Duchies of Schleswig and Holstein—*i. e.*, fifteen million Prussian dollars, and, as an equivalent for the free provisionment the Prussian army shall enjoy in the Austrian districts it occupies until the conclusion of the peace, a further sum of five million Prussian dollars, so that only twenty million Prussian dollars remain to be paid in cash. Half of this sum shall be defrayed in cash simultaneously with the exchange of the ratifications of the present treaty; the remaining half, three weeks later at Oppeln.

12. The evacuation of the Austrian territories occupied by the Prussian troops shall be completed within three weeks after the exchange of the ratifications of the peace treaty. From the day of the exchange of the ratifications the Prussian governing generals will confine their functions to the purely military sphere of action.

13. All treaties and conventions concluded between the contracting parties previous to the war, in so far as they are not necessarily rendered invalid by the dissolution of the Germanic Confederation, shall herewith reënter in force. The general cartel convention between the German Federal States of February 10, 1831, in especial, together with the supplementary clauses belonging thereto, retains its validity between Prussia and Austria. Nevertheless the Austrian Government declares that the coinage treaty concluded January 24, 1857, loses its chief value to Austria through the dissolution of the German Federal relation, and the Prussian Government declares itself ready to mediate in negotiations for the discontinuance of this treaty between Austria and the remaining participators in the same. The contracting parties equally reserve to themselves to enter into negotiation as early as possible for a revision of the commercial and custom treaty of April 11, 1865, in the sense of increased facilities to mutual traffic. In the mean time the aforesaid treaty shall reënter in force, with the understanding that it is reserved to either of the contracting parties to terminate it after six months' notice to that effect.

The peace with Bavaria was signed at Berlin on August 22d. Bavaria engaged to pay to Prussia thirty million florins in three instalments, the last instalment six months after the exchange of ratifications. The navigation dues

on the Rhine and Main were to cease on and after 1867. The Bavarian telegraph stations in the territory of the North German Confederation, and in the Grand-duchy of Hesse, were transferred to Prussia. Bavaria surrendered to Prussia such documents in the archives of Bamberg as refer exclusively to the former burg-graves of Nuremberg and the margraves of Brandenburg of the Franconian line. In order to settle Prussia's claim to the picture-gallery, which was formerly at Dusseldorf, and was later brought to Munich, Bavaria will designate three German courts of appeal, from which one will be selected by Prussia as arbiter. From strategical and commercial reasons the frontier is rectified by the union of a few Bavarian districts to Prussia. (*See BAVARIA.*)

The treaties with Würtemberg, Baden, and Hesse-Darmstadt were also concluded at Berlin (July 12th, August 21th, September 3d). Würtemberg was to pay eight million, Baden six million, Hesse-Darmstadt five million florins. Hesse-Darmstadt was to enter for its province of Upper Hesse the North German Confederation, and cede to Prussia Hesse-Homburg and several other districts. (*See HESSE-DARMSTADT.*) The following are the conditions of the treaty between Austria and Italy, signed October 3d :

The mutual exchange of all prisoners of war; Austria consents to the union of Venetia with Italy; the frontiers to be ceded to Italy are those which constituted the administrative frontiers of Venetia while under Austrian domination. The military commissioners appointed by the two contracting powers, shall be charged to trace the line of demarcation with the shortest possible delay. The amount of the debt assumed by Italy is 35,000,000 florins, payable by eleven instalments, within a period of twenty-three months. The Monte Lombardo-Veneto is transferred to Italy, with its actual assets and liabilities. Its assets are three and a half million florins, and its liabilities 36,000,000 florins. With regard to the Venetian railways, until a further arrangement is arrived at, the revenues of the two networks of railway north and south of the Alps will be allowed to accumulate in order to calculate the gross revenue which should serve as a basis for the valuation of the kilometric guaranty. The contracting parties engage to prepare a convention, in which the railway company would take a part, for the separation of the two networks and the completion of the unfinished railway. The Venetians residing in Austria are to have the right of preserving their Austrian nationality. All objects of art, as well as the archives belonging to Venetia, will be restored without exception. The iron crown of Lombardy will also be given up to Italy. The treaties which formerly subsisted between Austria and Sardinia will again come into force for one year, during which period fresh arrangements can be concluded. Another provision of the treaty stipulates for the restitution of the private property belonging to the Italian ex-princes, which has been sequestrated by the Italian Government, with the reservation of the rights of the State, of one-third. A complete amnesty will be accorded by both Austria and Italy to all persons condemned for political offences; to deserters from either army; and to persons compromised by their political conduct. The emperor also decided to renounce the title of King of Lombardy and Venetia, and decreed accordingly that in future it shall be omitted among his majesty's other titles, whether the latter be fully given or otherwise.



GERMANY. I. THE GERMAN CONFEDERATION. The confederation of German states, which was organized in 1815, was destroyed by the German-Italian war in 1866. (*See GERMAN-ITALIAN WAR.*) At the beginning of the year 1866, the confederation consisted of one empire (Austria), five kingdoms (Prussia, Bavaria, Saxony, Hanover, Würtemberg), one electorate (Hesse-Cassel), fourteen grand-duchies and duchies, eight principalities, one landgravate (Hesse-Homburg), and four free cities (Frankfort, Hamburg, Bremen, and Lubeck). By the death of the childless Landgrave of Hesse-Homburg and the annexation of Hesse-Homburg to Hesse-Darmstadt on March 24, 1866, this number was reduced to thirty-three. The area of the German Confederation amounted to 243,099 square miles, and the population to 46,059,329. The Federal army consisted of 531,281 infantry, 92,300 cavalry, 59,485 artillery, and 12,979 pioneers.

At a special sitting of the Federal Diet, on April 9th, the Prussian representative made the following proposition for the constitutional reform of the Confederation: "1. That an assembly should be convened composed of members directly elected throughout Germany by universal suffrage, to meet upon a day to be appointed, in order to receive proposals to be laid before the German Governments for a reform of the Federal Constitution. 2. That negotiations should in the mean time take place between the various governments to settle the above proposals." A motion brought forward by the Austrian representative, as President of the Diet, demanding the immediate communication to the Federal Governments of the Prussian motion, was agreed to. The Prussian representative advocated the earliest possible appointment of a committee for the examination of the proposal made by his government. On April 21, the proposal of Prussia, for a reform of the Federal Constitution was referred by a majority of fourteen to a special committee of nine members. The committee was elected on April 26th, and consisted of the representatives of Austria, Prussia, Bavaria, Saxony, Hanover, Würtemberg, Baden, Hesse-Darmstadt, Electoral Hesse, Mecklenburg, and the representatives of the houses of Saxe. The committee organized itself on May 9th, when the representative of Prussia gave a more explicit statement as to the intentions of his government. The reforms desired by Prussia were as follows: 1. Introduction of a national representation into the organism of the Confederation. 2. Within the sphere of this legislature should fall, in accordance with article 64, of the Treaty of Vienna, provisions of common utility, such as coins, civil laws, patents, etc. 3. To these subjects should be added a regulation of the intercourse between the members of the Confederation. 4. Development of article 18, of the Federal pact, concerning freedom of intermigration, a general German homestead law, etc. 5. Common legislation on duties and commerce. 6.

Organization of a common protection of German commerce; appointment of consuls representing the whole of Germany. 7. Foundation of a German navy. 8. Revision of the Military Constitution of the Confederation.

On the 20th of May, the Congress of German Deputies (members of German legislatures) held a meeting at Frankfort, at which two hundred members were present. M. Sigismund Müller, of Frankfort, presided. The Congress adopted, on the recommendation of its committee, a resolution condemning a war, declaring guilty of grave crimes toward the nation those who might cause one, and threatening with the national execration those who might attempt to dispose of any portion of German territory to foreigners. The resolution adds, that if war be inevitable every effort should be made to localize it as closely as possible. All the states not actually engaged in the dispute, especially those of Southwestern Germany, ought not unnecessarily to take part in the contest; their duty is to retain their forces intact, so that, if occasion should arise, they may be in a position to maintain the territorial integrity of Germany. The chambers of the various states should demand guaranties in this sense before voting credits for military purposes. The resolution concluded thus: "A solution of the Federal constitutional question can alone prevent the recurrence of so dangerous a state of affairs. The chambers and the German nation generally ought, therefore, to require a speedy convocation of a German parliament, on the basis of the electoral law of 1849.

With regard to the war threatening to break out between Austria and Prussia, the majority of the Diet ranged itself on the side of Austria, the representative of Prussia, on June 1st, declared that if the Federal Diet should show itself unable to prevent violations of the federal peace like that now threatened by Austria and Saxony, Prussia would have to draw the inference that the actual condition of the Confederation was inadequate for the fulfilment of its task, and it would base its further steps upon this condition. On the same day the Diet accepted an invitation to take part in a peace conference to be held in Paris, and unanimously elected the Bavarian minister, Von der Pfordten, its delegate.

When the Federal Diet, on June 14th, adopted the Austrian proposition for a mobilization of the Federal army, the Prussian representative declared that Prussia considered the Federal pact as dissolved. He then submitted proposals for the constitution of a new "bund," announced that Prussia seceded from the present confederation, and immediately withdrew from the assembly. The Austrian Minister-President addressed the Diet in a speech in which he referred to article 1, of the Federal pact, and article 5, of the final act of Vienna, and insisted upon the indissolubility of the Federal pact. He protested against the



Prussian project, and maintained the continuance of the Confederation, with all its rights and duties, declaring that no member was at liberty to secede from the "bund," and that the whole of Germany had a right to demand that the Confederation should remain intact. He concluded by inviting the Diet to unite with him in solemn protest for the preservation of the rights and competency of the "bund," which should continue in full vigor and binding upon all its members. The Diet adopted a resolution expressing its adherence to the declaration of the Austrian representative.

The following states soon followed Prussia in withdrawing from the Confederation: The two Mecklenburgs (14th curia); Saxe-Weimar, Saxe-Altenburg and Saxe-Coburg-Gotha (13th curia); Oldenburg, Anhalt, Schwarzburg (15th curia); the two Lippes, Waldeck and Reuss, younger line (16th curia); Hamburg, Bremen, Lubeck (17th curia).

By article IV. of the Treaty of Peace, concluded on August 23d, between Prussia and Austria, the Emperor of Austria agreed to recognize the dissolution of the German Confederation, and to give his consent to a reconstruction of Germany without the participation of the Austrian Empire. The emperor also promised to recognize the new Confederation, which the King of Prussia would establish north of the Main, and declared himself satisfied that the German States south of the Main should establish an association, the national connection of which with the North German Confederation was to be left to further agreement, and which would receive an international and independent existence. The kings of Bavaria and Würtemberg, as well as the grand dukes of Baden and Hesse-Darmstadt, in the separate treaties of peace concluded with them, gave their adhesion to the above stipulation of the Prusso-Austrian treaty. Hesse-Darmstadt agreed to enter with the province of Upper Hesse into the North German Confederation. The last sitting of the Federal Diet was held on August 24th, when it was declared that in consequence of the war and of the treaties of peace the German Confederation was dissolved. From the last publication of the Diet, a volume, containing the proceedings and acts of that body during 1866, it appears that from the installation of the Diet on the 5th of November, 1816, to the 24th of August, 1866, the day of its dissolution—that is to say, a period of forty-nine years, six months, and ten days—it has held 1,712 sittings. Its labors were suspended from the 12th July, 1848, to the 29th December, 1849. Its average annual sittings were thirty-five.

II. NORTH GERMAN CONFEDERATION.—The North German Confederation consists of Prussia (with the annexed States of Hanover, Hesse-Cassel, Schleswig-Holstein, Nassau, and Frankfurt), and the German States north of the river Main. The population of the new confederation is as follows:

Prussia.....	23,590,543
Saxony .....	2,343,994
Mecklenburg-Schwerin.....	552,612
Mecklenburg-Strelitz.....	99,060
Oldenburg.....	301,812
Saxe-Weimar.....	280,201
Brunswick .....	292,708
Anhalt.....	193,046
Saxe-Meiningen .....	178,065
Saxe-Coburg-Gotha.....	164,527
Saxe-Altenburg.....	141,839
Lippe-Detmold .....	111,336
Waldeck .....	59,143
Schwarzburg-Rudolstadt.....	73,752
Schwarzburg-Sondershausen.....	66,189
Reuss Younger Line.....	86,472
Schaumburg Lippe.....	31,382
Reuss Elder Line .....	43,924
Hamburg.....	229,941
Lubeck .....	50,614
Bremen.....	104,066
Province of Upper Hesse (belonging to Hesse-Darmstadt).....	225,696
Total.....	29,220,862

The area of the North German Confederation is 159,940 English square miles. Of the inhabitants, 70.78 per cent. are Protestants; 26.95 per cent. Roman Catholics; and 2.27 per cent. members of other denominations. In point of area the North German Confederation is exceeded by five European States (Russia, Sweden, and Norway, Austria, Spain), and in point of population by four (Russia, France, Austria, Great Britain). The merchant marine of the confederation numbers 7,167 vessels, with an aggregate tonnage of 1,336,719.

The first step toward the permanent establishment of the confederation was an offensive and defensive treaty, which was signed at Berlin on the 18th of August, and the ratifications of which were exchanged on the 8th and 10th of September. The treaty is as follows:

ART. 1. The Governments of Prussia, Saxe-Weimar, Oldenburg, Brunswick, Saxe-Altenburg, Saxe-Coburg-Gotha, Anhalt, Schwarzburg-Sondershausen, Schwarzburg-Rudolstadt, Waldeck, Reuss (junior line), Schaumburg-Lippe, Lippe, Lubeck, Bremen, and Hamburg, have concluded by this treaty an offensive and defensive alliance for the preservation of the integrity and independence, as well as the inner and outer safety of their respective States, and enter immediately on the joint defence of their present possessions, which they guarantee each other by this treaty.

ART. 2. The objects of this alliance shall be ensured by a federal constitution, based on the fundamental principles laid down by Prussia on the 10th June, 1866, and with the coöperation of a national parliament, to be convened jointly by the allied powers.

ART. 3. All treaties and conventions existing between the allies remain in full force if not specially modified by this treaty.

ART. 4. The military forces of the allied Governments are placed under the supreme command of his Majesty the King of Prussia, and their several services in time of war shall be regulated by special agreement.

ART. 5. The allied Governments engage to make the needful arrangements in their separate States for the election of members of Parliament in accordance with the stipulations of the Electoral Law of April 12, 1849, and convene them at the same period that Prussia does. At the same time they promise to



send to Berlin commissioners armed with full powers to make a draft of the Federal Constitution according to the fundamental principles of the 10th June, to be laid before the Parliament for their discussion and approval.

ART. 6. This treaty is to remain in force till the settlement of the new federal relations, eventually for a year, should the new act of confederation not be definitively settled before the lapse of that period.

ART. 7. The present treaty shall be duly ratified, and the acts of ratification exchanged at Berlin as quickly as possible, and certainly not later than three weeks from the present date.

Later the Governments of Saxony, of the two Mecklenburgs, of Hesse-Darmstadt (for the province of Upper Hesse), the Governments of Saxe-Meiningen and Reuss, elder line, gave in their adhesion to this treaty.

The following electoral law for the first North German Parliament, was (in September) adopted by the Prussian Legislature and sanctioned by the Government :

1. A Parliament is to be assembled for the consideration of the Constitution and of the regulations of the North German Confederation.

2. Every man blameless in the eye of the law who is a citizen of one of the German States united in the Confederation is to be a voter as soon as he has attained the age of twenty-five.

3. From the right of voting are excluded. (1.) Persons who are under guardianship or trusteeship. (2.) Persons against whose property rules of bankruptcy have been granted, during the term of such bankruptcy. (3.) Persons who obtain support as paupers from the funds of the State or of their district, or who have obtained support during the year preceding the election.

4. As criminals, and therefore excluded from the right of voting, shall be considered those from whom the full and perfect enjoyment of their rights as citizens has been withdrawn by legal sentence, as long as these rights are not restored to them.

5. Any man entitled to vote who has belonged for at least three years to one of the States forming the Confederation may be elected as deputy. Penalties for political offences which have been undergone or remitted do not exclude from election.

6. Persons who occupy a public office require no permission from Government to enter Parliament.

7. One deputy is to be elected for every 100,000 souls of the population as shown in the last census. A surplus of 50,000 souls or more, in the total population of a State, is to be reckoned as equal to 100,000 souls. Each deputy is to be elected in a special elective department.

8. The elective departments will be divided, for the purpose of voting, into smaller districts.

9. Whoever wishes to exercise his right of voting in a particular district must have his residence at the time of the poll in that district. No elector may vote in more than one place.

10. In every district lists will be opened in which the Christian and surnames of those entitled to vote, with their ages, professions, and dwelling-places, will be entered. These lists shall be open to every one's inspection at the latest four weeks before the day appointed for the election, and this is to be publicly advertised. Objections to the lists are to be made within eight days of the appearance of the public advertisement to the authority by whom the advertisement has been published, and are to be settled within the next fourteen days, whereupon the lists will be closed. Only those are entitled to vote who have their names inscribed on the list.

11. Voting is to be in public; members of the community are to take part in it who hold no direct office under Government. The vote is to be given in

person by means of a voting card, without signature, which is to be enclosed in an envelop, and so placed in an urn.

12. The voting is to be direct. Election is to be dependent upon the absolute majority of all the votes given in one department. Should there not be an absolute majority the votes are to be taken over again, but only to decide between the two candidates who have the most votes.

13. Representatives of the deputies are not to vote.

14. The polls are to take place at the same time in the whole of the State.

15. The elective departments and districts, the directors, and the proceedings of the elections, in so far as they are not determined by the present bill, are to be settled by the Government.

16. The Parliament examines into the privileges of its members, and decides upon the granting of them. It regulates the order of its business and its discipline.

17. No member of the Parliament can at any time be prosecuted in a court of justice, or a police court, on account of his vote, or for any utterances made use of in the exercise of his office, or be otherwise rendered responsible outside of the Assembly.

The main points of the constitution for the North German Confederation, as proposed by Prussia, were reported to be as follows :

The draft consists of 13 sections, divided into 69 or 70 paragraphs. The first division sets forth what is to be considered Federal territory; the second contains definitions of the legislative power in the Confederation; the third treats of the Federal council; section 4 settles the position of the presiding power; section 5 treats of the parliament; sections 6-10 of the competence appertaining to the legislative power; the 11th contains the important clauses as to the Federal army; and section 12 refers to the settlement of differences between members of the Confederation. The last section holds forth a prospect of the regulation of relations with the South German states. The Federal territory embraces the states of the Governments known to belong to the North German Confederation, with those parts of Hesse lying north of the Main. Subjects of any of these states are to have equal rights with natives in all other Federal states. The Federal Legislature consists of the Federal Council and the Parliament having under its jurisdiction, as common affairs of the North German Confederation, customs, commercial legislation, coinage, weights and measures, banks, regulations as to native rights and rights of settlement, etc., patents for inventions, protection of German trade, railway, postal, and telegraph systems, river navigation, the code of civil process, laws relating to bills of exchange, and commerce. The Governments are represented in Federal Council. Similarly to the *plenium* of the former Diet, the votes are divided, so that Prussia commands 17, Saxony four, Mecklenburg-Schwerin and Brunswick two each, and the remaining states one apiece. The total number of votes amounts to 43. The members of the Federal Council may be present in Parliament, and represent the views of their Governments; the Council forms departmental committees for the various branches of the functions within the competence of the Confederation; except in alterations of the constitution, the resolutions of the Council are passed by mere majority. The Prussian crown occupies the presidency, which represents the Confederation abroad, decides upon war and peace, concludes treaties, and appoints ambassadors. A Federal chancellor, appointed by the presiding power, takes the chair at the Federal Council. The Council and the Parliament meet yearly. The Parliament is chosen by general direct election, and possesses the right of initiative within the competence of Federal legislation; it



votes by majority. Its members may not be prosecuted for statements made in their quality of representatives. Officials in the service in one of the Federal states are ineligible. The members do not receive any pecuniary allowance. The Federal presiding power has to see to the execution of the Federal laws, and may compel refractory members by execution to fulfil their duties. The States of the Confederation form one customs territory, but the Hanse Towns are permitted to remain outside the customs lines as free ports. Legislation as to the collective customs system lies within the province of the Confederation; the revenue from the customs goes into the Federal treasury, and, together with the returns from the postal and telegraph systems, will be applied to meet common expenses. So far as possible in the interest of the defence of the country, or of general traffic, the railway system will be subject to Federal legislation, and the postal and telegraph systems be organized as a homogeneous means of intercourse throughout the entire territory of the North German Confederation. Officials bind themselves in their oaths of service to obedience toward the presiding power. The chief administrative officials will be appointed by the presiding power. The war navy of the North Sea and the Baltic is under the chief command of Prussia. The organization, appointment of officers and officials, proceeds from the presiding power. Kiel Bay and the Bay of Jähde are Federal war ports. Normal estimates for the establishment and maintenance of the fleet will be agreed upon with the Parliament, and the expense defrayed by the members of the Confederacy in proportion to population. The seaboard population is subject to conscription for naval service, but, on the other hand, freed from service in the land army. The mercantile ships of all the North German States form a homogeneous Federal marine, and carry a common flag (black, white, and red). The ships' papers will be made out by the Federal authorities. The consulate system is subject to the Confederation; the present consulates will, however, continue to subsist until the organization of Federal consulates is completed. The general conscription is extended to the whole North German Confederation, and the peace strength of the Federal army settled at one per cent. of the population. Prussian military legislation is introduced in all states of the Confederation. A normal budget will be established for the maintenance of the entire Federal army, upon the scale that a definite sum (it is said about 220 thalers) be placed at the disposal of the presiding power for every man of the accepted peace strength. This will be defrayed from the customs revenue, and, in so far as this does not suffice, by contributions in proportion to the number of the population. All the troops form a united army under the King of Prussia, who has to order the apportionment of the contingents, and to superintend the war efficiency of the army. Federal troops will bind themselves by their oath of service to obedience towards the Federal commander-in-chief. The latter appoints the superior officers and the commandants of fortresses appertaining to the contingents. The sovereigns of the countries, nevertheless, remain chief over their troops, and may dispose of other troops quartered in their territory for the maintenance of order. Attacks upon the safety of the Confederation, offences against the Parliament and its members, etc., will be legally prosecuted in the individual Federal states where they take place. Quarrels among the members of the Confederation will be settled by Federal legislation. After the constitution is introduced relations toward the South German States will be settled.

On December 15th, representatives of all the States belonging to the North German Confederation met at Berlin for the purpose of making a draft for a Federal Constitution. As their labors were not concluded at the close

of the year, the account of them is reserved for the next volume of the ANNUAL CYCLOPEDIA.

III. SOUTH GERMAN STATES.—The following States, south of the river Main, were, by the treaties of peace, excluded from the North German Confederation, but left at liberty to organize a Southern German Confederation:

	Population.
Bavaria (deducting the districts ceded to Prussia).....	4,774,464
Württemberg .....	1,748 328
Baden.....	1,429,199
Hesse-Darmstadt (except the province of Upper Hesse, which forms part of the North German Confederation).....	564,475
Lichtenstein*.....	7,995
Total.....	8,524,460

Public opinion in the South German States was greatly divided whether to seek an alliance with Prussia, and an admission into the North German Confederation, or to repudiate the leadership of Prussia, and establish a South German Confederation, with a view to the ultimate reunion of North and South Germany upon a federative basis. The majority of the Catholic and Democratic parties favored the latter, and a majority of the Liberal party the former view. In Bavaria, 42 members of the Liberal party had, before the meeting of the Legislature (in August), united upon a programme which declared against a separation of Germany into North and South, against a South German alliance, in favor of Bavaria joining as soon as possible the North German Confederation, and, until then, in favor of a close alliance with Prussia; in favor of an unimpaired preservation of German territory, and warding off of all foreign intervention. The programme did not find the full approval of the majority of the Bavarian Legislature, but the Chamber of Deputies (with all against 11 votes) adopted a resolution by Mr. Barth, expressing a wish that the Government, by closely joining Prussia, could enter upon the only road which for the present could lead to the final union of all Germany under the coöperation of a German Parliament, and in the mean time protect the national interests, and ward off foreign intervention. The First Chamber declined to accept this resolution, but (by 21 against 13), expressed a wish that any attack that may be made by foreign powers upon German territory should be resisted by the whole strength of the army and people of Bavaria. On December 31st, the King of Bavaria appointed a new prime minister (the Prince of Hohenlohe), who was known to be favorable to the closest possible union with Prussia. In the Diet of Würtemberg, which opened on September 25th, the Chambers of Deputies adopted (by 61 against 25 votes) the report of a special committee of fifteen on the German question, de-

\* In the discussion on the fate of this group of States, the little principality of Lichtenstein, which is enclosed by the German provinces of Austria and Switzerland, was totally left out of consideration. It will probably share the ultimate fate of the German provinces of Austria.



declaring a wish for the unity of all Germany, and hope that any foreign attack upon German territory would be resisted by the whole German nation. Würtemberg, the report further states, attributes importance to the question of popular liberty, which can only prosper upon a basis reconciling the justified autonomy of the several states with the necessary unity of the national government. The North German Confederation does not offer the necessary guarantees for the enjoyment of civil right and the progress of liberty. Würtemberg entertains no hostile sentiments against Prussia, and is opposed to a permanent separation of Northern and Southern Germany, but in the present unsettled condition of affairs it would be premature to assume any definite attitude with regard to Northern Germany. Würtemberg is for the present in favor of a Southern Confederation, or at least in favor of an agreement on the organization of the army. A resolution, offered by the minority, and demanding the union of the whole of non-Austrian Germany into one federal state, was rejected by 64 against 21 votes. In Baden, the Diet of which country met on October 9th, the Chamber of Deputies adopted by all against 10 votes the report from a legislative committee, recommending to ask the Government: 1, to work as much as possible for the entrance of the South German States, and in particular of Baden, into the North German Confederation; 2, to obtain, at the same time a guaranty for the interior constitutional condition of the several states; 3, until the final goal can be attained, to work for a union with the North German Confederation in questions of the army and political economy. An additional proposition, declaring the German constitutions and fundamental laws, adopted in 1849, to be the model for the national unity now aimed at, was also adopted by all against nine votes. The president of the ministry declared in favor of the closest possible union with the North German Confederation. He stated that no proposition for the organization of the South German Confederation had yet been made, but that, if it should be made, the Government would take it into due consideration.

In the Diet of Hesse-Darmstadt, which met on December 22d, the president of the ministry, Baron Dalwigk, expressed the hope that Germany would awake to a new unity and greatness, which he declared it would be the endeavor of the Government to promote, and lamented the states south of the Main had been excluded from the North German Confederation.

IV. THE OTHER GERMAN STATES.—The connection of Limburg with Germany was totally and finally terminated, the Prussian Government declaring its entire concurrence with the absolute separation of the duchy with the States of Germany. With regard to Luxemburg, Prussia claimed the right of garrisoning the fortress of Luxemburg. No definite arrangement as regards the relation of Luxemburg to the North

German Confederation, was arrived at. (As regards the German provinces of Austria, *see* AUSTRIA.)

GIBBES, ROBERT WILSON, M. D., an historian, paleontologist, and physicist, born in Charleston, S. C., July 8, 1809; died in Columbia, S. C., October 15, 1866. He graduated at South Carolina College in 1827, studied medicine, and after his marriage settled in Columbia, where he continued to reside until his death. His tastes and habits were literary and scientific, and he contributed largely to the medical and scientific journals of the country. His chief scientific researches were directed toward the description of organic remains from his native State, and his memoirs include a "Monograph on the fossil *Squalidæ* of the United States;" a "Memoir on the fossil genus *Basilosaurus*," and another on "*Mosasaurus* and the three allied new genera, *Holocodus*, *Conosaurus*, and *Amphorosteus*," the first two published in the journal of the Academy of Sciences of Philadelphia, and the last in the *Smithsonian Contributions to Knowledge*, vol. vii., November 1849. He was also the author of important papers on medical subjects, and of a "Documentary History of the American Revolution," in three volumes. For several years he was editor of the "Columbia South Carolinian." He lost severely by the burning of Columbia in the winter of 1865, his fine mansion, with its valuable collection of paintings, fossil remains, and geological specimens, falling a prey to the flames.

GIBSON, JOHN, R. A., an eminent English sculptor, born at Conway, North Wales, in 1790; died at Rome, January 27, 1866. He was of Scottish extraction, and descended from the clan Macgregor, but, owing to political difficulties, his grandfather assumed the name of Gibson. When about nine years of age, the subject of this sketch removed to Liverpool with his father, and five years later was apprenticed to a cabinet-maker, and subsequently to a carver in wood. His taste and genius for drawing had attracted attention from his childhood, and when about sixteen years of age, an eminent firm of sculptors, who had observed his artistic talents, purchased the remainder of his time, and gave him every encouragement in the prosecution of his studies. After a short time a sum of money was subscribed by gentlemen interested in his behalf, defraying the expenses of his journey to Rome, and providing for a two years' residence in that metropolis. Here he entered the studio of Canova, then in the height of his fame, and soon earned the reputation of being one of his most able and industrious pupils. Establishing himself in business upon his own account in 1821, he produced his first important work, the group, "Mars and Cupid," which was reproduced in marble, and occupies a prominent position in the collection at Chatsworth. Having a desire to perfect himself more thoroughly in his art, after the death of Canova he studied for a time



under Thorwaldsen, and entered upon his career with a hand and mind more thoroughly disciplined than almost any other English sculptor. In 1833 he was elected to the Royal Academy, and became R. A. in 1836. His studio at Rome was the resort of the patrons, practitioners, and connoisseurs of the art; and he was ever ready to lend a helping hand to young students of whatever nation who came in his way. Among his portrait statues are those of the Queen, at Buckingham Palace, and the late Prince Consort, at Westminster; also statues for the cemetery at Liverpool. Within the last few years Mr. Gibson had introduced color into his works, an innovation which has excited much discussion in the artistic world. This he has done in his statue of the Queen, his "Aurora," and his more exquisite work, "Venus," which attracted so much attention at the International Exhibition of 1862. There is a fine collection of about twenty casts of his best groups, at the Crystal Palace, Sydenham. One of his most recent pupils was Miss Hosmer, the American sculptor.

GOULD, AUGUSTUS ADDISON, M. D., an American naturalist and physician, born in New Ipswich, N. H., April 23, 1805; died at Boston, September 15, 1866. His father's family name was formerly Duren, but was changed to that of Gould. He graduated at Harvard College in 1825, took his medical degree in 1830, and immediately thereafter settled in Boston, where he remained until his death. From the outset of his career he devoted considerable attention to natural history and kindred studies, and for two years gave instructions in botany and zoology at Harvard. Although constantly engaged in the active duties of his profession, science was the leading passion of his life, and by zealously devoting his leisure moments in the intervals of business, and, as he expressed it, "hours stolen from sleep," to his favorite studies, he has made his name widely known as a scientific student and author by many valuable contributions. He became very early one of the most active members of the Boston Society of Natural History, of which he had been vice-president for several years previous to his death. He was also a Fellow of the American Academy of Arts and Sciences; of the American Philosophical Society; of the National Academy of Science; and two years ago was unanimously elected President of the Massachusetts Medical Society. Many of his contributions to science have been published in the Proceedings and Memoirs of these societies. Many of his conchological papers, especially, have appeared in the Journal and Proceedings of the Boston Society of Natural History. In 1841 he published his report on the Invertebrates of Massachusetts, an appropriation for that purpose having been made by the State. This, being one of the pioneer works on the subject in this country, is remarkable for its accuracy and general usefulness, and has always been one of the standard works on Ameri-

can conchology, that part of the book relating to the shells being the most voluminous and complete, and each species being well figured from drawings made mostly by the author's hand. The Legislature of 1865 made an appropriation of \$4,000 to republish this work, and for the last few months of his life he had been engaged in revising and enlarging it for that purpose. In 1848, in connection with Prof. Agassiz, he published the "Principles of Zoology," a work which has become well known and widely circulated. In 1846 he was employed by the United States Government to write the Report upon the Shells of the Wilkes Exploring Expedition, and contributed a quarto volume, with a folio atlas of plates, toward the history of that voyage. In 1863 he published, under the title of "Otia Conchologica," all the original descriptions of new species of shells published in his various works, with notes on changes in their nomenclature. Beside the above-mentioned volumes are several others upon kindred subjects, while his contributions to medical science are also numerous. In the department of vital statistics he was eminent among American students of that subject. He contributed to nearly every volume of the Reports of the Registrar-General of Massachusetts papers of great labor and value. His articles in the American Journal of Science were numerous and important, and he was also the author of interesting papers in the Christian Review and other periodicals of the day. His death was caused by a sudden attack of Asiatic cholera, which terminated his valuable life after a few hours' illness.

GOZLAN, LÉON, a French dramatist and littérateur, born at Marseilles, France, September 21, 1806; died at Paris, September 15, 1866. He was of Hebrew extraction and the son of a wealthy shipowner who became suddenly impoverished, in consequence of which young Gozlan was compelled to leave college before he had completed his studies. At eighteen he started for Algiers, and thence proceeded to Sénégal (1824) where he engaged with much success in the coasting trade. Returned to Marseilles with literary tastes which his travels had aided in developing, he obtained employment in the college, and while teaching reviewed his own studies. In 1828 he came to Paris with a volume of light poetical wares, and while waiting for a publisher became clerk in a book-store. By the aid of Méry, his compatriot, he obtained a first appearance in the newspaper *L'Incorruptible* (1828), whence he passed successively to *Figaro*, *Vert-Vert*, and the *Corsaire*, by degrees essaying novels and romances. From this time forward M. Gozlan devoted himself to literature, and wrote with wonderful facility. We can only indicate a few of his tales and romances: "Les Mémoires d'un Apothécaire;" "Le Notaire de Chantilly;" "Le Médecin du Pecq;" "Les Châteaux de France" (4 vols.); "Le Dragon Rouge;" "Le Tapis Vert;" "Un Homme plus grand



que Charles Quint;" "La Famille Lambert;" "De Minuit à Quatorze Heures," &c., &c. He also contributed extensively to the literature of the stage. The following are some of his comedies: "Une Tempête dans une Verre d'Eau;" "Un Cheveu Blond;" "Le Coucher d'une Etoile" (very popular); "La Queue du Chien d'Alcibiade;" "La Fin du Roman;" "Il faut que Jeunesse se paye;" "Le Gateau des Reines;" "Les Paniers de la Comtesse;" "La Pluie et le beau Temps;" "La Goutte de Lait;" and many others. M. Gozlan also contributed to the *Conteur*, the *Navigateur*, the *Cent-et-un*, the *Revues de Paris*, the *Deux Mondes*, the *Britannique et Contemporaine*, the *Europe Littéraire*, the *Journal pour Tous*, etc. He had been "Chevalier de la Légion d'Honneur" since the 6th of May, 1846, and was promoted "officer" in 1859. A cotemporary writer refers to Gozlan as among the most radiant of the luminous pleiade of 1830. He had wit, imagination, originality, grace, style. An indefatigable worker, he attempted every thing and succeeded in every thing. In him were added to the talents of the story-teller that of the brilliant conversationalist, and to those of the dramatic author that of the brilliant *improvisateur*. His death was sudden, and, having passed for an Israelite all his life, preparations had been made to bury him with the ceremonies of the synagogue. Two rabbins had sat up with the body all night to recite the prayers of their creed. An hour before the time appointed for the funeral, his son-in-law (M. Duval, the well-known architect) discovered, while hunting among his papers, the certificate of his Christian baptism. The funeral was countermanded, the rabbins retired, and the priests were sent for.

GRANGER, Hon. Amos P., an American statesman, born in Suffield, Conn., in 1789; died at Syracuse, N. Y., Aug. 20, 1866. He removed to Manlius, Onondaga County, N. Y., in 1811, and engaged in mercantile pursuits until 1820, when he took up his residence in Syracuse, and, investing largely in real estate, laid the foundation of the liberal fortune he subsequently acquired. For several terms he was president of the village corporation. In 1812 he raised and commanded a company of militia which was on duty at Sacketts Harbor, and remained in the militia service several years, attaining the rank of general, by which title he was known in after life. During his whole life he took a deep interest in political affairs. In the Baltimore Convention, which nominated General Scott for the Presidency, he was chairman of the Whig delegation from New York, and had considerable influence upon its action. All measures in the interest of Slavery received his uncompromising opposition. He was a leading spirit in the movement which resulted in the organization of the Republican party, and wrote and offered the series of resolutions in the Auburn Convention of 1853, which gave form to that movement. He was the successful

Republican candidate for Congress in the Onondaga district in 1854, and was reëlected in 1856 by more than six thousand majority. His Congressional service was of the most honorable character. He held no public station after retiring from Congress, but his interest in the leading public questions continued unabated till the day of his death. In early life he became zealously attached to the Episcopal Church, and by his great liberality, and knowledge of ecclesiastical history did much for the prosperity of that denomination in his section of the country. In 1856 he was attacked with paralysis, from which he never fully recovered.

GREAT BRITAIN, OR THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND. Area, by the latest surveys, 120,879 English square miles. Population, by census of 1861, 29,321,288. The relations between Great Britain and the United States, though not as cordial as they were previous to the war, cannot be said to have been unfriendly. There had been several diplomatic interviews with Mr. Adams, the United States minister, consequent upon the transactions relative to the Shenandoah, and the renewal of the demand for a settlement of the claims against the British Government for the losses caused by the Confederate cruisers to American commerce; but though there was evidently a disposition to look with more favor upon these claims, there was no definite action taken. When, in consequence of the resignation of the Cabinet in July, a new cabinet was formed in the Conservative interest, the question was necessarily taken up *de novo*, and though immediate action was postponed, the justice of many points in the claims was admitted, and a proposition made for arbitration. The question of civil damages was somewhat complicated and embarrassed for a time by the wholly unauthorized negotiation of an arrangement with the former Confederate agents, Fraser, Trenholm & Co., by two American agents. The prompt repudiation of this arrangement by the United States Government, though it did not leave matters in quite as good a position as before, still rendered further negotiations on a more equitable basis possible. Meantime other questions, involving indirectly the interests of the two countries, had arisen. Most prominent of these was the trouble growing out of the Fenian organization, and its attacks on Ireland and Canada. In the latter, which was more considerable in its results than the former, though perhaps productive of less excitement on the part of the British Government, the course of the United States Government in a position of extreme difficulty and embarrassment was acknowledged by the British Government to be fair and satisfactory. (See FENIAN BROTHERHOOD.) When, later in the year, Ireland was again threatened by the Fenians, the United States Government was watchful to prevent any violation of the international comity. At the same time the Fenians who had been taken prisoners in Canada, and were on a



trial for their lives, being American citizens or resident for some years in this country, the United States Government felt itself in honor bound to appeal to the Government of Great Britain to mitigate the severity of the sentence of the provincial courts, and commute the punishment of the misguided offenders, and after some delay this favor was accorded.

In its internal affairs, the year 1866 was a disastrous one for the United Kingdom. The cattle plague (*see* CATTLE PLAGUE) continued, and increased its ravages until near the close of summer, causing the death of nearly three hundred thousand head of cattle, as well as some sheep and swine. A financial panic, short in its duration, but of terrible severity while it lasted, brought down many of the oldest and largest banking-houses of the country, and caused great disaster; and in the autumn the stagnation of trade, and especially of manufactures, produced great suffering and bread riots in some of the large towns of England. The Reform Bill of the Russell-Gladstone Cabinet, an insufficient measure to satisfy the hitherto non-voting mass, though better than nothing, was lost by a majority of eleven, a considerable number of members of the House of Commons elected as Liberals voting against it. This led to the resignation of the Russell-Gladstone ministry on the 6th of July, and the formation of a Conservative Cabinet in which Earl Derby was Premier, and Benjamin Disraeli Chancellor of the Exchequer. As the Conservatives had been avowedly hostile to any increase of suffrage, and the Reform Bill of the previous ministry had been lost at a period too late to admit of the consideration of a new bill during that session of Parliament, the agitation of the question of reform was transferred from the Houses of Parliament to the people, and speedily attained a portentous magnitude; monster meetings and processions were organized, and the ill-advised attempt of the government to prevent the holding of one of the meetings in Hyde Park nearly led to a riot, several persons being injured. These meetings and processions were continued till the close of the year, and gave evidence that the people were in earnest in desiring an extension of the suffrage.

In the tripartite war between Prussia and Italy on the one side and Austria on the other, so brief yet so decisive in its results, Great Britain took no part, as indeed she could not without serious damage to her own interests; one of the sons-in-law of the queen, the Prince of Prussia, being the commander of one of the Prussian armies, while Prince Ludwig of Hesse, another son-in-law, was high in command in the Austrian army. The war resulted in the loss to Prince Ludwig of Hesse of his prospective domain; and the King of Hanover, also a scion of the reigning family of Great Britain, being a cousin of the queen, lost his throne.

The new Cabinet, which came into office July 6, 1866, and continued in power at the close of the year, consisted of the Earl of Derby, First

Lord of the Treasury; Lord Chelmsford, Lord High Chancellor; the Duke of Buckingham, Lord President of the Council; the Earl of Malmesbury, Lord Privy Seal; Right Hon. Benjamin Disraeli, Chancellor of the Exchequer, and Representative of the Government in the House of Commons; Right Hon. Spencer Horatio Walpole, Secretary of State for the Home Department; Lord Stanley (eldest son of Earl Derby), Secretary of State for Foreign Affairs; the Earl of Caernarvon, Secretary of State for the Colonies; General the Right Hon. Jonathan Peel, Secretary of State for War; Viscount Cranborne, Secretary of State for India; Right Hon. Sir John Pakington, First Lord of the Admiralty; Sir Stafford Northcote, President of the Board of Trade; the Duke of Montrose, Postmaster-General; the Earl of Devon, Chancellor of the Duchy of Lancaster; Right Hon. Galthorne Hardy, President of the Poor-Law Board.

STATISTICS OF THE UNITED KINGDOM.—I. FINANCE.—1. *Revenue and Expenditures*.—The gross revenue for the year ending March 31, 1866, was £67,812,292 4s. 6d. = \$325,499,002.68; the gross expenditure, for the same period, was £66,474,356 13s. 3d. = \$319,076,911.98. Of the revenue, customs yielded £21,276,000 = \$102,124,800; excise, £19,788,000 = \$94,982,400; stamps, £9,560,000 = \$45,888,000; taxes (land and assessed), £3,350,000 = \$16,080,000; property tax, £6,390,000 = \$30,702,000; post-office, £4,250,000 = \$20,400,000; crown lands, net, £320,000 = \$1,536,000, and miscellaneous receipts, £2,878,292 4s. 6d. = \$13,815,802.68. Of the expenditures, £23,542,593 15s. 11d. was for the management of the permanent debt, and £2,691,054 3s. for terminable annuities and interest on exchequer bonds and bills, in all £26,233,287 18s. 11d. = \$125,919,782.14; the charges on the consolidated fund amounted to £1,883,675 2s. 3d. = \$9,041,640.54; for supply services, army, navy, civil service, postal and post-office packet, £37,797,393 12s. 1d. = \$181,427,489.30; and the extraordinary expenditure for fortifications was £560,000 = \$2,688,000. The estimated revenue for the year ending March 31, 1867, was £67,013,000 = \$321,662,400, and the estimated expenditure £66,727,000 = \$320,289,600.

In 1866 the income tax was further reduced to 4d. in the pound, or  $1\frac{2}{3}$  per cent. on incomes exceeding £200 or \$1,000. The duty on tea was reduced at the same time from 1 shilling to 6 pence per pound, and the fire insurance duty reduced materially. No new duties were imposed in 1866.

The national debt, funded and unfunded, on the 31st of March, 1866, was £781,500,929 = \$3,751,204,459.20.

2. *Imports and Exports*.—We have no returns of these later than the close of 1865, those of 1866 not being yet published. The imports of 1865 were £271,134,969 = \$1,301,447,851.20. The exports for the same year were £218,856,316 = to \$1,050,519,916.80. Of



these exports, £165,862,402 were British produce and £52,995,914 foreign and colonial. The value of cotton imported in 1865 was £66,032,193=\$316,954,526.40. The value of grain and flour imported was £20,724,115=\$99,475,752; of wool imported, £14,930,430=\$71,666,064; of tea, £10,044,462=\$48,212,917.60; of raw silk, £10,184,855=\$48,887,304. The five principal articles of export were: cotton manufactures to the amount of £57,254,845=\$274,823,756; woollen and worsted manufactures, £20,102,259=\$96,490,843; iron and steel, £13,451,445=\$64,566,936; linen manufactures, £9,155,358=\$43,945,718.40; haberdashery and millinery, £5,013,757=\$24,066,033.60.

3. *Shipping and Navigation*.—The number of sailing vessels engaged in the home trade of the United Kingdom, in 1865, was 11,160, with a burden of 795,434 tons, and employing 37,631 men. The steam vessels engaged in the same trade were 552 in number; their burden, 134,776 tons, and they employed 8,189 men. The number of sailing vessels engaged partly in the home and partly in the foreign trade, was 1,663; their aggregate tonnage, 282,295 tons, and they employed 10,457 men. The steam vessels employed in the same trade were 111 in number; their tonnage, 43,225 tons, and the men employed 2,005. In the foreign trade, 7,384 sailing vessels were employed, with an aggregate tonnage of 3,629,023 tons, and employing 110,501 men. The steam vessels in the foreign trade were 756; their tonnage, 523,698 tons, and the number of men 28,860. The total number of vessels employed in the home and foreign trade, in 1865, was 21,626; their tonnage, 5,408,451 tons, and they employed 197,643 men. The movements of vessels—entrances and clearances—British and foreign, for the year 1865, give the following aggregate tonnage: British, 19,358,955 tons; foreign, 9,538,137 tons. Total British and foreign, 28,897,092 tons.

II. ARMY AND NAVY. 1. *The Army*.—The British army, aside from the British forces in India, consists of 138,117 officers and men, of whom 7,150 are commissioned officers, 13,454 non-commissioned officers, and 117,513 rank and file. Of this force 93 officers are on the general staff, and 6,412 commissioned, 11,961 non-commissioned officers, and 109,839 privates constitute the army proper; the remainder are soldiers at the depots of Indian regiments preparing to go out to India, in recruiting and other establishments, or cadets and teachers in the training-schools. The British forces in India, in addition to the above, consist of 3,615 commissioned and 5,306 non-commissioned officers, and 56,366 rank and file. The amount voted for the British army for the year 1866-'67 was £14,095,000=\$67,656,000. Of this sum £11,979,700=\$57,502,560 was for effective services, pay, clothing, commissariat, medical service, chaplaincy, courts-martial, barracks, and supplies, pay for volunteer and militia service,

war stores and manufactures for supply of soldiers, superintendency and repairs of buildings, military education, surveys, and topography, and administration of the army; and £2,115,300=\$10,153,440, for non-effective service, pensions, half pay, and allowances. There are, besides the regular army, 128,971 disembodied militia liable to serve for twenty-one days' military training in each year, and a volunteer force which is increasing, and which numbered, in 1865, 162,861 officers and men, and was composed of 662 light horse, 23,363 artillery, 2,904 engineers, 656 mounted rifles, and 134,096 rifle volunteers.

2. *The Navy*.—The British navy is governed by the Lords of the Admiralty, the head of the Board being the First Lord, who is a member of the Cabinet; associated with him are four other members called lords by courtesy, a first and second secretary, and under the Board five great departments or bureaus, Controller of the Navy, Accountant-General, Storekeeper-General, Controller of Victualling, and Director-General of the Medical Department. The total establishment in 1866 consisted of 451 persons.

The total expenditure for the navy in the year ending March 31, 1867, was £10,388,153=\$49,864,134.40, of which £8,553,572=\$41,057,145.60 was for effective service, and the remainder for half-pay pensions and allowances, and the conveyance of troops on naval vessels. The number of seamen, including boys in training and mariners, was in 1866 about 61,000, besides about 7,000 in the coast-guard service. The actual strength of the navy of the United Kingdom in February, 1866, was 419 steamers afloat, of which 339 were screw and 80 paddle-wheel steamers; 28 steamers building, of which 26 were screw and 2 paddle; and 50 effective sailing vessels all afloat. Of these last, 10 were frigates, one a ship-of-the-line, one a sloop-of-war, and 38 mortar-vessels and floats. Of the steamers 36 are armor-plated. Of these 19 are ships-of-the-line, divisible into three classes: *First*, the Warrior class, four in number, all iron-built and of great speed, but of so great draught of water, that they could not be docked out of Great Britain. These were all, except the Bellerophon, of over 6,000 tons burden; and the Minotaur class, three ships of still larger tonnage, being 6,621 tons measurement, but plated with 5½-inch armor on 10-inch backing, carrying 36 protected guns, and propelled by screw engines of 1,350 horse-power. These are all rams. Every part of these vessels is iron. *Second*, the Royal Oak class—seven ships, wooden vessels plated, of about 4,000 tons, and carrying from 18 to 24 guns. They are from 800 to 1,000 horse-power. They possess less speed than the preceding. The *third* class are the Hector, the Valiant, the Defence, the Resistance, and the Zealous, about 3,700 tons each, and from 600 to 800 horse-power. The other Iron-clads, not line-of-battle ships, are mostly of the gunboat or corvette class, mostly under 1,000 tons burden, and from 160 to 400 horse-



power. They generally mount but four guns each. The remainder of the armored vessels are designed for coast defence merely, and, while of considerable size, are not regarded as good sea-going vessels. Among these are included the Scorpion, and Wivern, the two rams built for the rebels, but purchased by the British Government. But four of the armored ships have armor exceeding  $5\frac{1}{2}$  inches in thickness, and of these only one, the Bellerophon, is completely protected by 6-inch armor, the other three having 6-inches amidships, but only  $4\frac{1}{2}$  and  $5\frac{1}{2}$  at the stem and stern. The wood backing of these plates varies in different vessels from 10 to 36 inches. The total fleet in commission at the beginning of 1866, including 41 tenders, was 45 sailing and 202 steam-vessels.

**EDUCATIONAL STATISTICS.**—We have no educational returns later than those of the entire year 1865. In that year there were in England and Wales 6,867 primary schools inspected, having accommodations for 1,470,473 children, and having in attendance 901,750 pupils. In Scotland there were 1,573 primary schools, with capacity for 207,335 pupils, and having 155,995 actually in attendance; making a total for great Britain (not including Ireland) of 8,438 schools, with accommodation for 1,677,808 pupils, and having 1,057,745 in attendance. Besides these there were parochial schools, schools sustained by the different dissenting denominations and by the Established Church of Scotland, the endowed schools, great and small, the ragged schools and reformatories, evening or night schools, and the special schools of institutions or guilds. There are, for higher education, the three great universities in England, Oxford, Cambridge, and London, and numerous small colleges and universities, either established by the Church of England or by dissenting bodies. In Scotland, the Universities of Edinburgh, Glasgow, Aberdeen, and St. Andrews. In Ireland, Trinity College, Dublin; the Dublin University; Queen's College, Belfast, and several smaller colleges, Roman Catholic and dissenting, in various parts of the island.

**RELIGION.**—The Established Church of England and Wales is Episcopal in its form. The reigning sovereign is the titular head of this church, and its affairs are administered by two archbishops (of Canterbury and York) and twenty-eight bishops. The whole country is divided into about twelve thousand parishes and two hundred extra parochial places, each of which has its parson or parish priest, a rector or vicar, though the former may and often does employ one or more curates to perform a part of his duties for him. These are supported by tithes, rates, or parish dues, and in part also by endowments. Pluralities of livings, *i. e.*, two or more livings held by one clergyman, are not infrequent. There are in England, besides the Established Church, nearly five thousand other buildings used for worship and registered for marriages, belonging to the

Roman Catholic and dissenting denominations. Of these, in 1861, a third part belonged to the Independents, 1,000 to Baptists, 895 to Wesleyan Methodists, 551 to Roman Catholics, 193 to Calvinistic Methodists, 152 to Unitarians, 137 to Scottish Presbyterians, and 141 to minor denominations.

In Scotland the established church is Presbyterian in its form of government. There are no bishops or clergy of superior authority. The General Assembly, comprising 386 members, is the ruling body, or church court, of supreme judicature. The clergy of this church are supported by tithes and state stipends. The dissenters from the established church are numerous, comprising in the aggregate nearly two-thirds of the population. The most important of these are the Free Church of Scotland, which seceded from the established church in 1843, and the United Presbyterian Church, which is formed by the amalgamation of several seceding bodies, some of them dating back to 1741. These two are now seeking a union. Together they comprise much the largest part of the dissenting population. There are besides about 22,000 Episcopalians, some Roman Catholics, Baptists, Independents, Methodists, and Mennonians, and a few Unitarians and Friends.

In Ireland, there is an established church (Episcopal), with two archbishops and twelve bishops, but its proportion of the population is but little more than one-seventh that of the Roman Catholics, and exceeds but little that of the Presbyterians. The Roman Catholics claim as belonging to their church 4,505,265 of the population, and of the remainder, 693,357 belonged, in 1861, to the Established Church; 523,291 to the Presbyterians, 45,399 to the Methodists, about 4,000 each to the Independents, Baptists, and Friends, and 16,000 to various other persuasions. The clergymen, bishops, and archbishops of the Established Church are supported by tithe-rates the Government grants, the other denominations, including the Roman Catholics, by voluntary fees, rentals, and subscriptions. The Roman Catholics have four archbishops and twenty-three bishops. There are also numerous monasteries and convents, and several collèges and theological seminaries.

**PAUPERISM AND CRIME.**—In 1866 the number of poor-law unions and parishes in England and Wales was 655; of adult able-bodied paupers, 149,320; of all other paupers, 771,024, making a total of 920,344, or about  $4\frac{1}{2}$  per cent. of the population. In Scotland there was 884 parishes, 77,895 paupers, and 43,499 persons dependent upon the parishes in greater or less degree for their support, making 121,394 of the pauper class, about  $8\frac{1}{2}$  per cent. of the population. In Ireland, there were, in 1866, 54,435 indoor and 10,163 outdoor paupers, making in all 65,057 of the pauper class receiving relief in unions, about  $1\frac{1}{2}$  per cent. of the population. Beggary is, however, more common in Ireland than in either England or Scotland. The crim-



inal offenders in England and Wales in 1865 (we have no later returns) were: committed for trial, 19,614; convicted, 14,740; acquitted, 4,842. In Scotland: committed for trial, 2,567; convicted, 2,360; acquitted, 207. In Ireland, committed for trial, 4,657; convicted, 2,663; acquitted, 1,966. These numbers are exclusive of the arrests and summary trials of the police and police courts. Still the statistics indicate a great decrease in crime, and a better organized administration of justice than formerly.

GREECE, a kingdom in Europe. King, George I., second son of the King of Denmark, born December 24, 1845; elected "King of the Hellenes" by the National Assembly of Athens, March 18, (old style, 30), 1863. Area, about 20,105 miles, population (in 1861) 1,329,236, and, according to a census of 1864, above 1,400,000. The budget for 1866 estimated the revenue at 28,337,600, and the expenditures at 27,192,840, drachmas (one drachma is about equal to eighteen cents). The public debt, according to the statements made by the Government to the Legislature in 1865, was £11,000,000 sterling, or 308,000,000 drachmas; according to the *Almanach de Paris* (1865) it amounted to 450,000,000 drachmas.\*

A new ministry was formed on February 6th, under the presidency of Roufos; another on June 16th, under the presidency of Bulgaris. The latter was on December 30th succeeded by one under the presidency of Comondouros.

The government and the people of Greece took a profound interest in the insurrection of Candia. Committees were formed to supply them with money and arms, and thousands of volunteers rushed to their aid. In order to embarrass the Turks, efforts were also made in Greece to stir up insurrectionary movements in the Turkish provinces of Epirus and Thessaly. In September, the Government addressed a note to the three protecting powers, asking their intervention in behalf of the Cretans.

Early in December the French and English ministers in Athens made serious representations to the Hellenic government, in consequence of an order issued for the despatch to the northern frontier of three bodies of troops, and of other warlike preparations which had for some time past been going on in Greece. These remonstrances, however, produced no effect; the troops were forwarded without delay, and the only explanation the foreign ministers were able to obtain from the Greek president of the ministry relative to the acts mentioned was that these troops were intended to keep in check the organized bands of brigands, which, he alleged, frequently fell upon the neighboring districts in Greece, and created a continual state of disquietude and consternation among the inhabitants. He added that he could not conceive how such a measure could be looked on as implying any menace to Turkey, as the troops would, on the contrary, have the effect

of securing that State against any risings in its southern districts—an event which he could not look upon as improbable, considering the disturbed state of the public mind.

Public opinion was dissatisfied with the ministry of Bulgaris as not going far enough in aiding the Greeks, and when the new chambers met, on December 22d, the candidate of the opposition was elected president by an almost unanimous vote. In consequence of this vote, Bulgaris tendered his resignation, and a new ministry was formed, on the 30th of December, as follows: Comondouros, President and Home Minister; Botzaris, Minister of War; Ch. Tricoupi, Minister for Foreign Affairs; Kehaya, Finance; Christopoulos, Justice; Lombardo, Marine. On December 31st, Comondouros addressed the Legislature, giving the following account of the home and foreign affairs:

You are aware that the public security is not in a satisfactory condition, that the power of the law has become weakened, and that our financial position is very sad. We have but little money in the exchequer, we are over head and ears in debt, and our army is in the greatest want. You are aware, gentlemen, that our soldiers are entirely without those modern fire-arms and equipments which all other European governments have deemed it necessary to adopt. Such is the picture of our actual condition. Our duty is to respond to the desires of the nation; to organize our finances by means of judicious retrenchments, indispensable loans, and taxes legally imposed upon articles generally; to improve the administration; to place the equipment of our army on a level with that of the other armies of Europe; to put really into practice the constitutional provisions respecting the national guard; to give vigor to the laws; and, in fine, to reestablish public order, which is the sole basis upon which we can rely in order to obtain the required results.

With respect to foreign affairs, our desire is to maintain friendly relations with all the powers, and the efforts of the Government will be earnestly directed to the attainment of that object; but although such is our intention, and the Hellenic kingdom neither desires nor invites troubles, an event has taken place altogether independent of its will; a commotion has occurred in neighbouring countries arising from local causes, for which Greece is in no way responsible, but which threatens, nevertheless, to compromise its internal order and the harmony of its foreign relations. Is it possible that the Hellenic people can remain indifferent in presence of women and children whom the beneficent hand of the protecting powers has saved and landed upon our soil? If these events have touched our august benefactors, what much greater emotion must they have caused us, who are united to the people of Crete by the ties of a common origin, a common religion, and the gratitude which we owe them for having contributed to our independence? But even in presence of these sentiments we wish to fulfil faithfully the duties which neutrality imposes upon Greece. No one can blame us if we, also, lend every assistance to the fugitives. No one can make it a matter of reproach to Greece, that, while on the one part she respects the international rights of others, she at the same time does not forget the duties of neutrality of the Hellenic people. What Hellenic Government could possibly forget them?

I have said already, and you know it yourselves, gentlemen, that the position in which the Cretan insurrection has placed Greece is essentially a false position, since it has been considered possible that

\* For latest statistics of army, navy, and merchant-vessels, see ANNUAL CYCLOPEDIA for 1865.



it might lead to a rupture of our diplomatic relations with a friendly power. No Greek government can desire to increase these disagreements. No one can doubt that, as the struggle in Crete was not provoked by Greece, so also no Greek government will excite troubles in the border provinces. On the contrary, we have every thing to gain by the maintenance of tranquillity in those countries. Above all, Greece is interested in making known to the powers, and especially to her benefactors, the policy which she has adopted. For how long a time has public opinion been misled in believing that the Cretan movement was partly due to incitements from Greece; and if, in consequence of differences between the people and their government, troubles were to take place in the border provinces, what then would be the position of Greece? The precedent of Crete, and the experience we have acquired, oblige us to reflect seriously upon this subject, to organize our internal affairs in a manner corresponding with the gravity of the danger, and above all to conform strictly to legality. We ought, in case of need, to rely in the first place upon ourselves, and thus render ourselves worthy of the efficacious help of friendly nations, and especially of that of the guaranteeing powers. But to that end we must take care that our position in relation to Crete should not be erroneously viewed in the eyes of Europe. We must show it that, altogether strangers to the origin of the Cretan movement, we continue spectators of events very close at hand, to confine ourselves strictly within the narrow circle of our international duties. In order to accomplish these intentions, we will ask your authority to send special missions to the different powers for the purpose of acquainting them with the truth as to the actual situation of our country, and as to what really is passing in our neighborhood. In this manner, gentlemen, we hope to avoid all danger, and we will attain more surely and promptly the realization of the wishes and hopes which animate the heart of the country and of the Hellenic people.

**GREEK CHURCH.** The most important event in the recent history of the Greek Church is the increasing interest in establishing closer connections with the Anglican churches of Europe and America. This, in particular, is reported to be the case in Russia. The Bishop of Moray and Ross (of the Scotch Episcopal Church), who visited Russia on a special mission in 1866, refers in his charge to the clergy of his diocese to the feeling of the Russian clergy and laity with regard to this subject, as follows:

I did not converse with a single Russian who did not introduce the subject himself, and converse upon it in the most friendly and sensible manner. To understand each other—to learn and know the doctrine, discipline, and worship of our respective churches—to master such works as represent truly and with authority the tenets of our churches, and to abstain, in the mean time, from all acts which could irritate or compromise either. This was the desire, and these were the feelings of all those with whom I conversed. And I cannot bring my remarks to a close in a more touching manner than by quoting the words of the Grand Duke Constantine, the emperor's brother, which he used in the course of a conversation I had with him in an interview with which he honored me. Speaking of the union of the churches, he said: "It is a subject of which I have long and often thought, and in which I take a lively interest. It is one," he said, "in which I think all ought to take an interest, and which all should endeavor to promote; for I am sure it must be pleasing to our Saviour Jesus Christ to see any attempt being made to accomplish the object of his last prayer, that we 'all may be one.'"

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The Rev. George Williams, of England, who has been travelling in the East in the interest of Church Unity, writes on the same subject to the "Eastern Church Association:"

The Bishop of Nazareth was perhaps the most hearty in his sympathy of all with whom I conversed, and he repeated more than once: "Your project is the salvation of the world—it is nothing short of that!" The Bishop of Mount Tabor, a most devout man, was deeply interested in the idea of reunion, and it is a comfort to think that prayers are continually ascending from Tabor's lonely peak for the good success of our work. The Bishops of Horns and Hamah were also warm in their approval, and the last bishop whom I saw, viz.: the successor of S. Polycarp, at Smyrna, expressed himself most strongly in favor of intercommunion.

More indefinite is a statement of Bishop Whitehouse, of Illinois, in a communication to his diocese, who, after having spoken of his associations with the Lutheran bishops of Sweden, thus speaks of the Russian Church:

During my long stay in Russia, and especially in Moscow, I have enjoyed opportunities for a similar acquaintance with the Russo-Greek services, and occasions of full and intimate conference on the state and relations of our respective churches. In those respects I owe every thing to the unwearied kindness of his eminence, the Bishop of Leonide, Vicar of the Metropolitan, which left nothing more to desire in personal and official recognition.

Toward the close of the year French and English papers (*Independance Belge*, London *Times*, etc.), circulated the report that with the support of the French and Austrian Governments negotiations had been carried on between Rome and the Greek bishops of Turkey concerning a recognition by the Greek churches in Turkey of the supremacy of the Pope, and that several bishops, and even the Patriarch of Constantinople had been gained for the plan. The report produced quite an emotion in Russia, and one of the most influential organs of public opinion, the *Moscow Gazette*, demanded that Russia should appeal to arms rather than submit to the humiliation of allowing France to dislodge her as protector of the Christians of Turkey. Subsequently an emphatical denial was given in Constantinople, and by the patriarch himself, to the whole report. In December, 1866, the patriarch was deposed from his office by the Turkish Government, at the urgent request of a large number of the most influential Greeks. The patriarch had made many enemies by excommunicating and imprisoning the editor of a Greek paper in Constantinople who had been advocating a religious reform. Owing to the great excitement against him, he gave in his resignation, but at the same time induced the Porte not to accept it. As the excitement against him, however, continued and increased, he was finally forced to vacate his office. The Turkish Government, with which the patriarch had always been on the best terms, gave him a monthly pension of 5,000 piastres.

The long struggle between the Government of the Danubian Principalities and the Greek



Synod of Constantinople, terminated in the formal recognition of the entire independence of the Church in the Principalities, by the Patriarch of Constantinople and his Synod.

The Church in the Ionian Isles continued to hold out against being incorporated with the Church of the Kingdom of Greece.

The number of churches built with the aid of the Russian Government for the Russian residents in foreign countries, is to be increased by one in New York. It was reported that \$2,000 have been subscribed by Russian and Greek residents in that city. The \$18,000 which are wanting will be provided by the government, who are also to find the salaries of the officiating priests, and defray the entire expenditure of the establishment. To free the members of this clerical mission from the restraints incidental to an official capacity, it is proposed not to place them under the exclusive control of the Russian Ambassador at Washington. Divine service in the new church will be conducted in Greek and Russian.

It is a curious circumstance that the Greek Church has of late begun to gain some converts in the countries of Western Europe. The best known of these converts is Abbé Guettée, the author of a "History of the Church of France" (the largest work on the subject), a "History of the Jesuits" (three volumes), a refutation of Rénan's *Vie de Jésus*, and many other works. Abbé Guettée, while a Roman Catholic priest, had decidedly Gallican views, and all his works had on that account been censured by Rome. Six years ago he founded, in conjunction with the Rev. Archpriest Wassilieff, titular head of the Russo-Greek Church in France, and especially attached to the Russian Church in Paris, a weekly publication entitled *l'Union Chrétienne*, and having for its object the union of the non-Roman churches holding the doctrine of apostolical succession. His latest work, undertaking to prove a schismatic character in the papacy, was published in 1866, and translated at once into English\* and Russian.

Another work in defence of the doctrines of the Greek Church was published in England by the Rev. J. J. Overbeck, like the former one, a member of the Roman Catholic communion.

GREEN, HORACE, M. D., LL. D., a distinguished physician, medical professor, and author, born at Chittenden, Rutland County, Vt., December 24, 1802; died at Greenmount, Sing-Sing, N. Y., November 29, 1866. He was educated at the High School, Brandon, Vt., and at the classical school at Rutland, Vt. It was his desire to take a collegiate course, but circumstances prevented. Having decided to become a physician, he entered with zeal upon his studies; attended faithfully the lectures of the professors of Castleton College, Vt.; and

was graduated M. D. at Middlebury, Vt., in 1824. While yet a student, he entered his brother's office, and after receiving his diploma he became a partner with him, and continued to practise six years. Not feeling altogether satisfied with his opportunities of observation, he visited Philadelphia, and there attended two courses of lectures, returning to Rutland, where he followed his profession for five years more. About 1838 he decided to take up his residence in New York city; but before settling down as a practitioner in that metropolis, he desired to add to his attainments a knowledge of the hospitals abroad. He therefore left America for Europe, and after having visited English hospitals extensively, made a very profitable sojourn in Scotland. He then travelled on the Continent, and spent several months in Paris, where he made it a conscientious practice to visit the principal hospitals daily. This sojourn abroad proved of great benefit to his health, and added much to his knowledge of disease. It was so fully appreciated by him, that in 1851 he made another trip, remaining absent from this country about three months, during which period he passed his time most satisfactorily. While making a careful investigation of the course of treatment in the principal cities of Great Britain and France, and spending a short time in Switzerland, much of his pleasure during his tour in Europe was due to the courteous attention which he received from members of the medical profession. Dr. Green was particularly interested in the diseases of the throat and air-passages, and their treatment by what is known as topical medication. He made these the subject of close investigation during the last fifteen years of his life. In 1856 he published a report on 106 cases of pulmonary diseases treated by injection into the bronchial tubes, with a solution of nitrate of silver, and was consulted by many persons on the subject. In 1840 he was elected professor in Castleton Medical College, and continued to lecture to the students till 1843. In 1850 he lent material and efficient aid in founding the New York Medical College, and was appointed President of the Faculty and Trustees; holding, also, the responsible position of Professor of the Theory and Practice of Medicine, and subsequently that of Emeritus Professor. In 1854 he associated himself with others in establishing the "American Medical Monthly," being intimately connected with the editorial department till 1857; after which period he continued to contribute occasional articles till it was given up. Dr. Green resigned his Professorship in the New York Medical College in 1860, at the earnest solicitation of his family, as his health seemed to be impaired by continuous labor. From that time symptoms of consumption were apparent, and in 1863 an attack of paralysis induced him to try the effect of the climate of Cuba. He passed the winters of 1864 and 1865 in that island, and received great benefit to his health, though it proved but temporary. The degree of LL. D.

\* "The Papacy; Its Historic Origin and Primitive Relations with the Eastern Churches." With an introduction by Bishop A. C. Coxe, and a Biographical Sketch of the Author. New York, 1867.



was conferred upon Dr. Green by the University of Vermont, at Burlington. He was not only a skilful and laborious physician, but a man of marked intellectual ability, liberal, public-spirited, and resolute in his efforts to promote the public good.

GREENE, Rev. DAVID, a Congregational clergyman, born in Stoneham, Mass., Nov. 15, 1797; died in Westborough, Mass., April 7, 1866. He studied at Phillips Academy, Andover, and, graduated at Yale College, in 1821, after which he taught two years in Amherst Academy and in Boston, and then entered the theological seminary, where he completed his course in 1826. Soon after he became an assistant secretary of the American Board of Commissioners for Foreign Missions, and in 1832, upon the death of Jeremiah Evarts, was chosen corresponding secretary. During this period, his special department of labor was editing the *Missionary Herald*, and correspondence with the missions among the Indians, which was then conducted on an extended scale. In 1828 he made a tour, extended through eight months, and over nearly six thousand miles; visiting the missions to the Indian tribes, both east and west of the Mississippi River, in Northwest Ohio, and in New York. On this tour he visited not less than thirty mission stations, and reached Boston, on his return, in July.

In 1836 he removed with his family to Roxbury, and though a distance of three miles from the missionary rooms, was in the habit of traversing it twice a day on foot. He was indefatigable in his labors, and among his other duties prepared twelve of the "special reports" of the society, many of them of great value. At the solicitation of Mr. Lowell Mason, Mr. Greene consented to aid in compiling the hymn-book, called "Church Psalmody." Of this book, more than a hundred and fifty thousand copies are believed to have gone into use.

In consequence of an injury by a railroad accident, he was obliged to decline a reelection, and resigned his position in 1848, removing to Westboro', Mass. His house having been not long after consumed by fire, he settled in Windsor, Vt., but in 1860 returned to Westboro', where he spent the residue of his days.

The circumstances of his death were affecting. Men were blasting a rock near his house, and a descending fragment struck him on the head, inflicting a mortal injury. This was on Tuesday, and he lay perfectly unconscious till Saturday, when he died.

GREGORY, Rear Admiral FRANCIS H., U. S. Navy, born at Norwalk, Conn., October 9, 1789; died in Brooklyn, L. I., October 4, 1866. At the age of eighteen he entered the merchant service, in which he remained two years. In 1809 he enlisted in the United States navy as a midshipman, and soon after, while serving on the *Vesuvius*, and in charge of one of her barges near the Balize, surprised and captured an English brig, having on board one hundred and

twenty slaves, intended to be smuggled into New Orleans, which was carried in and condemned. In April, 1811, he was promoted to be acting master, and assigned to the command of gun-vessel No. 162, and attached to the Balize division. He captured and sent in a schooner of one hundred tons and thirty-five men, then fitting out on the coast for piratical purposes, and had a night action with a privateer of greatly superior force, that had been annoying our commerce, which he disabled and drove off the coast. Soon after he captured a large Spanish ship of fourteen guns, which was engaged in piracy. In the spring of 1812, Acting Master Gregory was ordered to a northern station, and on the commencement of a war with England, placed under Commodore Chauncey's command on Lake Ontario, and with him participated in all the actions and skirmishes on that lake. Later he was taken prisoner by the British, refused parole, and sent to England, where he was detained until the close of the war, in 1814. He soon after joined one of the frigates cruising against the Algerines, without coming home. In 1821, Lieutenant Gregory was appointed to the command of the schooner *Grampus*, and cruised in that vessel throughout the West Indies and upon the Spanish Main, for the suppression of piracy and protection of American commerce, until relieved in 1823. He was active and instrumental in the destruction of several piratical vessels, and dispersion of gangs of pirates on the coasts of Cuba and Mexico. In 1825 Lieutenant Gregory was selected to fit out the frigate *Brandywine*, for the purpose of conveying General Lafayette to France, and served under Commodore Morris until the ship arrived there, when he was placed under his command. In 1826 he fitted out a 64-gun ship at New York, for the Greek Government, and sailed for the Piræus.

In 1828 he was promoted to be commander in the navy; was attached to the Brooklyn Navy-Yard till 1831, when he was sent in command of the *Falmouth* to cruise in the Pacific, and was one year in charge of that station; performed a full cruise of three years, and returned to the United States in 1834. He was promoted to a captaincy in 1838, and appointed to command the *North Carolina*, 74 guns, in 1841. In 1843 he was placed on the Brazilian station in the frigate *Raritan*; in 1844 was ordered to the coast of Mexico, and employed in the blockade of that coast. At the commencement of the war with that country he returned to the United States, in the frigate *Cumberland*, in January, 1847. In September, 1849, he was ordered to the command of the squadron on the coast of Africa, in the *Portsmouth*. In May, 1852, he was assigned to the command of the Boston Navy-Yard, and relieved in February, 1856, and up to the beginning of the war was employed on temporary duties only. At the commencement of the late war, Commodore Gregory



proceeded to Washington, and urgently sought for active service. The records of the Navy Department afford ample evidence of his professional ability, as well as patriotic disposition. There are few if any officers now in the service who are possessed of more practical experience on our coast, or who could render better service than did Rear-Admiral Gregory. His efforts to be placed on the active list were finally successful, and in July, 1861, he was ordered to superintend the construction of all vessels of war built outside of navy-yards, and it was while engaged in this duty he died. He was 'commissioned rear-admiral, July 16, 1862.

GREVILLE, ROBT. KAYE, LL. D., F. R. S. E., an eminent Scottish botanist and philanthropist, born at Bishop Auckland in 1794; died in his villa in Murrayfield, June 4, 1866. He was educated for the medical profession at Edinburgh and London, but circumstances having rendered him independent of this profession as a means of livelihood, he determined to devote himself to the study of botany. He delivered several courses of popular lectures on zoology and botany, and formed large collections of plants and insects, which were eventually purchased by the University of Edinburgh. Dr. Greville took a very warm interest in many social reforms and in various schemes of Christian philanthropy; especially was he prominent in the agitation against slavery in the colonies, being one of the four vice-presidents of the great Anti-Slavery Association of all countries, held in London in 1840. He was the author of "Flora Edinensis," "Scottish Cryptogamic Flora," "Algæ Britannicæ," and a portion of "Icones Fillicum," beside numerous papers in various scientific journals. In 1824 the University of Glasgow conferred on him the degree of LL. D. Dr. G. was Honorary Secretary of the Botanical Society, a Fellow of the Royal Society of Edinburgh, and Honorary and Corresponding Member of several important scientific bodies in England, France, Germany, and the United States.

GROTE, JOHN, B. D., an English Episcopal clergyman and philosophical writer, born at Beckenham, Kent, May 5, 1813; died at his vicarage, near Cambridge, August 21, 1866. He was a son of George Grote of Oxon, and a younger brother of the famous historian of Greece; graduated at Trinity College in 1835, and soon after 1838 was elected fellow of his college, continuing so until his death. In 1855, upon the resignation of Dr. Whewell, he was elected professor of Moral Philosophy in Cambridge University, which position he held during his life. In 1847 he was presented by his college to the vicarage of Trumpington. His mind was richly stored with all kinds of knowledge. Every field of literature had charms for him, and his quick and retentive memory seemed never to lose its hold on that which it had once embraced. His writings, from a disregard of the graces of style very characteristic of him, do him but imperfect justice, though they give evidence of a mind of great clearness, vigor,

and originality. His "Examination of Portions of Dr. Lushington's Judgment," is perhaps the ablest pamphlet which has been written on the question of a final court of appeal, and his unfinished work, "Exploratio Philosophica" is a masterly review of modern theories of philosophy. He was a man of earnest and simple piety, and in his parish his genial kindness and constant benevolence endeared him to all.

GUATEMALA. (See CENTRAL AMERICA.)

GUNPAPER. This composition is attracting attention as a material combining all the elements of destruction in its nature with the much-desired principle of safety. It possesses highly penetrative power, with a safety which, if not absolute, is, at any rate, far superior to that of either gun-cotton or gunpowder. It was first introduced by Mr. G. S. Melland, of London, and consists of paper impregnated with a composition formed of the following ingredients: chlorate of potash, 9 parts; nitrate of potash,  $4\frac{1}{2}$  parts; prussiate of potash,  $3\frac{1}{4}$  parts; powdered charcoal,  $3\frac{1}{2}$  parts; starch,  $\frac{1}{21}$ st part; chromate of potash,  $\frac{1}{16}$ th part; and water, 79 parts. These materials are mixed together, and subjected to an hour's boiling; the solution is then ready for use, and the paper is passed in sheets through the mixture. The saturated paper is now ready for manufacturing into the form of cartridge, and is rolled into compact length of any diameter, from that of a small revolver to that of a six-hundred pounder. These rolls may be made of the exact length required for each charge, or they may be made a foot, or even a yard long, and be afterward cut up to suit the charge. After rolling, the gunpaper is dried at a temperature of  $212^{\circ}$  Fah., when it presents the appearance of a compact grayish mass, resembling nothing so much as a piece of vulcanized india-rubber door-spring. From some comparative experiments recently made with the material, it would appear that the advantages claimed for it over gunpowder are by no means imaginary or slight. It appears to afford a perfect substitute for gunpowder, superseding gun-cotton and all other explosive compounds yet tried. It is regarded by the *Mechanics' Magazine* as safe alike in manufacture and use; the chemical solution is the reverse of combustible, and the paper is dried at a very low temperature. In its use its manipulation is unattended by the danger attaching to gun-cotton, it may be freely handled without fear of explosion, which is not even induced by percussive action. It is only exploded by contact with fire, or at equivalent temperatures, and is readily and accurately cut into cartridges by hand. In its action it is quick and powerful, having in this respect a decided advantage over gunpowder, than which it is also much cleaner in action. Its use is unaccompanied by the greasy residuum always observable in gun-barrels fired with powder, the gun-barrels after firing the gunpaper being perfectly dry and comparatively clean. Its explosion produces less smoke than



that of gunpowder. It has less recoil, with quicker penetrative power than gunpowder, and is said to be less liable to deterioration from damp. It is readily protected from all chance of damp by a solution of xyloidin in acetic acid. The xyloidin is prepared by acting on paper with nitric acid, one part thereof being dissolved in three parts of acetic acid of specific gravity of 1.040.

With improved revolvers of Mr. Millard six rounds were fired first with cartridges containing fifteen grains of gunpaper and a conical bullet, at fifteen yards' range, which gave as a result an average of 13-16 inch penetration into deal. Six rounds were next fired, with ten grains of gunpowder and a conical bullet, at the same range, the result being an average penetration of 13-8 inch into deal. With 33 per cent. less material its penetrative power in these instances over gunpowder was 3-16 inch. With fifteen grains of gunpaper and a conical bullet, six rounds were then fired at the same range, and at each shot the bullet passed through a three-inch deal. At 29 yards range, 12 grains of the paper fired from a pistol of 54 guage (.44 inch) sent a heavier bullet through a three-inch deal. In a Snider breech-loader, charges of two drachms of gunpowder, with a conical bullet, were fired from a capsule with central fire and metal base with equal good results, and with a comparatively slight recoil. In breech-loaders, about 25 per cent. is saved by gunpaper as against gunpowder in the length of the cartridge, and this shortening admits of a corresponding reduction in the length of the breech, thereby adding to the strength of the piece at this point, and diminishing its weight. It is stated by the maker that, taking into account the smaller quantity required to give an equal effect, the cost of the gunpaper will be from 30 to 50 per cent. less than that of gunpowder.

GUROWSKI, Count ADAM DE, a Polish publi-

cist, born on the hereditary estates of his family in the palatinate of Kalisz, September 10, 1805; died in Washington, D.C. May 4, 1866. When but a schoolboy he showed so lively a sympathy with the Polish cause that he was expelled from the gymnasia of Warsaw and of Kalisz. In 1820 he went to Berlin and spent the following five years in various German Universities. Returning to Poland he became identified with those who opposed Russian influence and in consequence was several times imprisoned by order of Constantine. He was one of the projectors of and participators in the revolution of 1830, and was sent as an agent of the Republicans to France. After the suppression of the insurrection he lived several years as an exile in France, where he adopted many of the views of Fourier. In 1836 he was, in consequence of a book in which he advocated the idea of Panslavism, called to Russia and employed in the private chancery of the Emperor. This situation he retained until 1844, when, finding that he had many powerful enemies at the imperial court, and that his resignation was not accepted by the emperor, he secretly left for Berlin, and from thence went to Heidelberg. Here he again gave himself up to his studies, and subsequently for two years lectured on political economy at the University of Berne, Switzerland. In 1849 he came to the United States, which he adopted as his home. Here he was for a time professor of modern languages, and for three years (1861 to 1863) translator in the State Department at Washington. He was the author of numerous works in the Polish, German, French, and English languages. Among the latter are "Russia as It Is" (1854), and "America and Europe" (1856). His latest work, in two volumes, is entitled "My Diary," and is extremely censorious toward several of the members of Mr. Lincoln's cabinet.

## H

**HABEAS CORPUS.** The following order was issued from the War Department under date of January 12, 1866:

To protect persons against improper civil suits and penalties in late rebellious States.

Military division and department commanders, whose commands embrace or are composed of any of the late rebellious States, and who have not already done so, will at once issue and enforce orders protecting from prosecution or suits in the State, or municipal courts of such State, all officers and soldiers of the armies of the United States, and all persons thereto attached, or in anywise thereto belonging, subject to military authority, charged with offences for acts done in their military capacity, or pursuant to orders from proper military authority; and to protect from suit or prosecution all loyal citizens, or persons, charged with offences, done against the rebel forces, directly or indirectly, during the existence of the rebellion; and all persons, their agents and employes, charged with the occupancy of abandoned lands or plantations, or the possession or custody

of any kind of property whatever, who occupied, used, possessed, or controlled the same, pursuant to the order of the President, or any of the civil or military departments of the Government, and to protect them from any penalties or damages that may have been or may be pronounced or adjudged in said courts in any of such cases; and also protecting colored persons from prosecutions in any of said States charged with offences for which white persons are not prosecuted or punished in the same manner and degree.

By command of Lieutenant-General GRANT.

On the 2d day of April, 1866, the President of the United States issued his proclamation by which he "did promulgate and declare, that there no longer existed any armed resistance of misguided citizens or others to the authority of the United States, in any or in all the States, excepting only the State of Texas, and did further promulgate and declare that the laws could be sustained and enforced in the several



States before mentioned, except Texas, by the proper civil authorities, State or Federal, and that the people of the said States, except Texas, are well and loyally disposed, and have conformed or will conform in their legislation to the condition of affairs growing out of the amendment to the Constitution of the United States, prohibiting slavery within the limits and jurisdiction of the United States, and did further declare, that it is the manifest determination of the American people that no State of its own will has a right or power to go out of or separate itself from or be separated from the American Union; and that therefore each State ought to remain and constitute an integral part of the United States; and did further declare that the several aforementioned States, excepting Texas, had in the matter given satisfactory evidence that they acquiesce in this sovereign and important resolution of the national unity; and did further declare that it is believed to be a fundamental principle of government that people who have been overcome and subdued must either be dealt with so as to induce them voluntarily to become friends, or else they must be held by absolute military power, or devastated so as to prevent them from ever again doing harm as enemies, which last-named policy is abhorrent to humanity and to freedom; and did further declare that the Constitution of the United States provides for constituent communities only as States and not as Territories, dependencies, provinces, or protectorates: and further, that such constituent States must necessarily be, and by the Constitution and laws of the United States are made equal and placed upon a like footing as to political rights, immunities, dignities, and power, with the several States with which they are united, and did further declare that the observance of political equality, as a principle of right and justice, is well calculated to encourage the people of the before-named States, except Texas, to be and to become more and more constant and persevering in their renewed allegiance; and that standing armies, military occupation, martial law, military tribunals, and the suspension of the writ of *habeas corpus*, are in time of peace dangerous to public liberty, incompatible with the individual rights of the citizen, contrary to the genius and spirit of our free institutions, and exhaustive of the national resources, and ought not therefore to be sanctioned or allowed, except in cases of actual necessity, for repelling invasion or suppressing insurrection or rebellion; and did further declare, that the policy of the Government of the United States, from the beginning of the insurrection to its overthrow and final suppression, had been conducted in conformity with the principles in the proclamation of June 13, 1865, recited, and did then and thereby proclaim and declare that the insurrection which theretofore existed in the several States, except in Texas, was at an end, and was thenceforth to be so regarded.

April 9th, the War Department issued the following:

*Brevet Major-Gen. J. M. Brannan, Augusta, Ga. :*

The Assistant Commissioner of the Bureau of refugees, freedmen, etc., for the State of Georgia, having inquired whether the President's proclamation removes martial law, and stated that the department commander does not feel authorized to arrest parties who have committed outrages on freed people or Union refugees, the Secretary of War, with the approval of the President, directs me to inform you that the President's proclamation does not remove martial law or operate in any way upon the freedmen's bureau in the exercise of its legitimate jurisdiction. It is not expedient, however, to resort to military tribunals in any case where justice can be attained through the medium of civil authority.

E. D. TOWNSEND,  
Assistant-Adjutant General.

August 20, 1866, the President of the United States issued his proclamation reciting:

1. The proclamations of August 15 and 19, 1861. (*See ANNUAL CYCLOPEDIA*, 1861, pp. 715, 717.)

2. The proclamation made on the 16th day of August, in the same year, in pursuance of an act of Congress, approved July 13, 1861, by which the inhabitants of the States of Georgia, South Carolina, Virginia, North Carolina, Tennessee, Alabama, Louisiana, Texas, Arkansas, Mississippi, and Florida, except the inhabitants of that part of the State of Virginia lying west of the Alleghany Mountains, and except also the inhabitants of such other parts of that State and the other States before named as might maintain a loyal adhesion to the Union and the Constitution, or might be from time to time occupied and controlled by the forces of the United States engaged in the dispersion of the insurgents, were declared to be in a state of insurrection against the United States.

3. The proclamation of July 1, 1862, by which the insurrection was declared to be still existing in the States aforesaid, with the exception of certain specified counties in the State of Virginia.

4. The proclamation of April 2, 1863, by which the exceptions named in the proclamation of August 16, 1861, were revoked, and the inhabitants of the States of Georgia, South Carolina, North Carolina, Tennessee, Alabama, Louisiana, Texas, Arkansas, Mississippi, Florida, and Virginia, except the forty-eight counties of Virginia designated as West Virginia, and the ports of New Orleans, Key West, Port Royal, and Beaufort, in North Carolina, were declared to be still in a state of insurrection against the United States.

5. The proclamation of September 15, 1863. (*See ANNUAL CYCLOPEDIA* 1863, p. 489.)

6. The resolution of the House of Representatives of July 22, 1861. (*See ANNUAL CYCLOPEDIA*, 1861, p. 244.)

7. The same resolution passed by the Senate of the United States, July 25, 1861.

8. The proclamation of June 13, 1865, that the insurrection in the State of Tennessee had been suppressed, and that the authority of the United States therein was undisputed, and that



such United States officers as had been duly commissioned were in the undisputed exercise of their official functions.

9. The proclamation of April 2, 1866, *see* above, and did further proclaim as follows:

*Whereas*, subsequently to the said second day of April, 1866, the insurrection in the State of Texas has been completely and everywhere suppressed and ended, and the authority of the United States has been successfully and completely established in the said State of Texas, and now remains therein unresisted and undisputed, and such of the proper United States officers as have been duly commissioned within the limits of the said State, are now in the undisturbed exercise of their official functions; and

*Whereas*, the laws can now be sustained and enforced in the said State of Texas by the proper civil authority, State or Federal, and the people of the said State of Texas, like the people of the other States before named, are well and loyally disposed, and have conformed or will conform, in their legislation to the condition of affairs growing out of the amendment of the Constitution of the United States prohibiting slavery within the limits and jurisdiction of the United States; and

*Whereas*, all the reasons and conclusions set forth in regard to the several States therein specially named, now apply equally and in all respects to the State of Texas, as well as the other States which have been involved in insurrection; and

*Whereas*, adequate provision has been made by military orders to enforce the execution of the acts of Congress, aid the civil authorities, and secure obedience to the Constitution and laws of the United States within the State of Texas, if a resort to military force for such purpose should at any time become necessary:

Now, therefore, I, Andrew Johnson, President of the United States, do hereby proclaim and declare that the insurrection which heretofore existed in the State of Texas is at an end, and is to be henceforth so regarded in that State as in other States before named, in which the said insurrection was proclaimed to be at an end by the aforesaid proclamation of the second day of April, 1866.

And I do further proclaim, That the said insurrection is at an end, and that peace, order, tranquillity, and civil authority now exists in and throughout the United States of America.

In testimony whereof, I have herewith set my hand and caused the seal of the United States to be affixed.

Done at the city of Washington this twentieth day of August, in the year of our Lord one thousand eight hundred and sixty-six, and of the independence of the United States of America the ninety-first.

ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, Secretary of State.

Application was made to Chief Justice Chase, for a writ of *habeas corpus* to bring before him the body of Jefferson Davis, in confinement at Fortress Monroe, but the writ was refused.

HALL, Rev. EDWARD BROOKS, an eminent Unitarian clergyman and author, born in Medford, Mass., September 2, 1800; died in Providence, R. I., March 3, 1866. He graduated at Harvard College in 1820, and immediately after went to Maryland and took charge of the "Garrison Forest Academy," near Baltimore, where he taught for a year. Returning in the autumn of 1821, he entered the theological school at Cambridge, and went through the regular course of study. After preaching in different places a

few months, he went to Northampton, and supplied a new Unitarian church there until July, 1825, receiving a call to settle, but in consequence of the state of his health he was not ordained until August, 1826. In that ministry he remained over three years, when his health again failing, he resigned the charge December, 1829, and went to Cuba for the winter. Coming back apparently restored, he resumed the profession, and after supplying various pulpits, he was settled in September, 1832, at Providence, R. I. He was installed as pastor, November, 1832, enjoying a happy ministry until his death—a period of more than thirty-three years; broken only by two short seasons of ill-health and one absence of four months in Europe in 1850. The degree of Doctor of Divinity was conferred upon him by Harvard College in 1848.

HALL, FRANCIS, an American editor, born in England in 1785; died in New York, August 11, 1866. He came to the United States while very young and was apprenticed in a printing establishment in New York. In 1811, he entered the office of the *Commercial Advertiser*, and two years after became part owner and co-editor of that journal, with which he was connected for a period of fifty-three years. He was closely identified with most of the religious and charitable societies of the city; was a member of the Methodist Missionary Society from its organization, and vice-president thereof at the time of his death; was vice-president of the Young Men's Bible Society; one of the vice-presidents of the American Bible Society; and a member of the Board of Managers of the Deaf and Dumb Institution, and also of the New York State Colonization Society. He was one of those consistent men who cared not for the empty honor of a place without being known as a worker, and was always found faithful in his attendance upon the various meetings of committees, councils, societies, etc., with which he was connected; and his devotion to every good work won the love and respect of all associated with him. His last illness was a long and painful one, but borne with Christian patience and submission.

HALLOCK, GERARD, an American journalist, born in Plainfield, Mass., March 18, 1800; died at New Haven, Conn., January 4, 1866. He graduated at Amherst College in 1819, and in 1824 entered upon his career as a journalist by the establishment of *The Boston Telegraph*, a weekly which was merged in the *Boston Recorder* the following year. In 1827, he became part proprietor of *The New York Observer*, and in 1828, was associated with David Hale, of *The Journal of Commerce*. In their efforts to gain information for this paper, they exerted themselves without reference to expense. In 1828, they fitted out a schooner to cruise off Sandy Hook and intercept European vessels for news, and five years later ran an express from Philadelphia to New York, by relays of horses, and thus were enabled to publish Congressional proceedings a day in advance of their rivals.



When this enterprise was imitated by other journals they extended their relays of horses to Washington. This was the inauguration of a system of expressing news which resulted in the celebrated Halifax express. Mr. Hallock was distinguished for what were called conservative views of politics, was an unflinching supporter of a national pro-Slavery policy, yet of kindly disposition and generous hand toward individual slaves who appealed to his charity. He contributed largely to the support of the ecclesiastical organization to which he belonged, and expended more than \$50,000 in the erection of a church in New Haven in which conservative views in regard both to religion and slavery should be maintained. He was one of the founders of the Southern Aid Society, designed to take the place of the American Home Missionary Society in the South, when the latter withdrew support from slave-holding churches. Mr. Hallock was a fine classical scholar, and early in life gave lessons in Hebrew to several clergymen.

**HAMBURG**, a Free City in Germany. Area, 135 sq. miles; population in 1860, 229,941; in 1866, it was estimated at 251,000. The "Budget" for 1866, estimates the receipts at \$11,265,333 mark Banco, and the expenditures at \$11,265,833. The public debt, on December 31, 1863, amounted to 56,855,829 mark banco (1 mark banco=34½ cents). The imports from Europe and the Levant, in 1865, amounted to 280,870,460 mark banco, those from and through Altona to \$50,408,320, those from transatlantic ports to \$69,827,570 (those from the United States to \$13,883,170); total imports by sea, \$401,106,350; total imports by land and river, \$370,562,530; total imports by land and sea, \$771,668,880, against \$773,016,770 in the preceding year. The movement of transmarine shipping in 1865, was as follows: entered, 5,186 vessels, together of 543,735 lasts (1 last=6,000 pounds); cleared 5,186 vessels, together of 540,666 lasts. The merchant navy consisted at the end of 1865 of 539 vessels, together of 83,710 lasts. In the conflict between Austria and Prussia, Hamburg sided with Prussia, and after the war joined the North German Confederation.

**HANOVER**, until 1866, a kingdom in Germany, which was by royal decree of September 20, 1866, incorporated with Prussia. Area, 14,600 sq. miles; population, in 1864, 1,923,492. In the German-Italian war, Hanover sided with Austria, and was the first State invaded by the Prussian troops. The Prussian Government took formal possession of it on October 6, 1866.

**HARFORD**, JOHN SCANDRETT, D.C.L., F.R.S., an English author, born in 1785; died in Gloucestershire, April 16, 1866. He was a magistrate and deputy-lieutenant for the counties of Gloucester and Cardigan, and magistrate for Carmarthen. In 1824, he filled the office of high sheriff of Cardiganshire. In 1822, he was created an honorary D. C. L., by Oxford

University. In politics, he was a conservative, and in 1842, he was elected for the borough of Cardigan, but his seat being questioned, his election was annulled on petition. He was an intimate friend of Hannah Moore, and it is commonly supposed that he was the hero of the once famous novel, "Cœlebs in Search of a Wife." Mr. Harford was the author of "Life of Michael Angelo," "Life of Bishop Burgess," "Recollections of William Wilberforce," and several other volumes.

**HAWKS**, FRANCIS LISTER, D. D., LL. D., an American clergyman and author, born in Newberne, N. C., June 10, 1798; died in New York, September 27, 1866. At the age of fourteen he entered the university of his native State; graduated in 1815, and devoting himself to the study of law, was admitted to the bar in 1819. At the early age of twenty-three he was elected to the legislature of North Carolina, but soon after entered upon the study of theology and was ordained to the ministry in the Episcopal Church in 1827. His first charge was in New Haven, Conn., and subsequently in Philadelphia. In 1831 he became rector of St. Stephen's Church, New York, but resigned at the close of the year, and was next called to the pastorate of St. Thomas's, New York, which he held until 1843. In 1835, at the General Convention, he was appointed to the missionary bishopric of the Southwest, but he declined the appointment. As historian for the American Episcopal Church he visited England, and obtained many valuable papers concerning the rise and progress of Episcopacy in this country. In 1837, in conjunction with Dr. Henry, he founded *The New York Review*, of which, for a while, he continued editor. About this time he founded St. Thomas's Hall, at Flushing, Long Island—a school intended for the special benefit of the sons of the clergy, but it was closed in a few years, leaving him deeply in debt. He removed to Mississippi in 1843, and was elected bishop of the diocese the same year. In the following year this election came before the house of clerical and lay deputies, in general convention. Strong opposition was made to Dr. Hawks, and the matter was finally referred back to the diocese of Mississippi. The diocese expressed the utmost confidence in Dr. Hawks, but he refused to accept the bishopric. He became rector of Christ's Church, in New Orleans, in 1844, which position he held for five years, during which time he was elected President of the University of Louisiana. He returned to New York in 1849, becoming rector of the Church of the Mediator, soon after merged in Calvary Church. He was elected Bishop of Rhode Island in 1852, but declined the office. Upon the commencement of the war in 1861, Dr. Hawks strongly sympathized with the South, and accordingly resigned his position as rector of the Calvary Church and accepted the charge of a parish in Baltimore. Soon after the return of peace he was recalled to New York to become rector of the congregation of



the Chapel of the Holy Saviour, for which a new edifice was being built at the time of his death. He was eminent for his learning, an eloquent and able preacher of deep and earnest piety. Dr. Hawks was a laborious student and writer. In 1833 appeared his "Contributions to the Ecclesiastical History of the United States;" in 1840, his "Egypt and its Monuments;" in the same year, "Auricular Confession in the Protestant Episcopal Church;" in 1854, a translation of "Rovero's and von Tschudi's Antiquities of Peru." He wrote, also, two volumes of the "History of North Carolina," published by Mr. Hale, in Fayetteville; and he edited the papers of Alexander Hamilton. Before entering the ministry he prepared four volumes of "Reports of the Supreme Court of North Carolina," and a "Digest of all the Cases Decided and Reported in North Carolina." In addition to all this, his contributions to periodical literature were voluminous.

**HAYTI**, a republic in the West Indies, constituting the French-speaking portion of the island of San Domingo. Area, 10,081 square miles; population, 572,000 inhabitants. The capital, Port-au-Prince, has 21,000 inhabitants. The President of the Republic, General Nicolas Fabre Geffrard, was elected December 22, 1858, and took the oath of office January 23, 1859. The financial condition of the Republic is favorable. The public revenue in 1863 amounted to 41,032,302 Haytien dollars; the expenditures to \$34,977,687; giving a surplus of \$6,054,615 (17.62 Haytien dollars are equal to one dollar gold.) The "Budget" for 1864, estimated the revenue at \$38,710,800, and the expenditures at \$37,331,811; probable surplus, \$1,378,989. Public debt, on January 1, 1864, amounted to 9,847,233 Haytien dollars.

**HESSE**. I. Hesse-Homburg, until 1866 a landgraviate of Germany, with an area of 135 square miles, and a population, in 1864, of 27,374. By the death of the childless landgrave, Ferdinand, on March 24, 1866, the landgraviate was united with Hesse-Darmstadt.

II. Hesse-Cassel, until 1866 an electorate of Germany, with an area of 4,430 square miles, and a population, in 1864, of 745,063. As, in the German-Italian war, the elector took sides with Austria, the Prussian army took possession of the country, and by a royal decree of September 20, 1866, it was united with Prussia. The formal installation of the Prussian Government took place on October 8, 1866.

III. Hesse-Darmstadt, a grand duchy of Germany. Grand Duke, Ludwig III., born June 9, 1806; succeeded his father on June 16, 1848. The country is divided into three provinces: Upper Hesse, Stackenburg, and Rhine-Hesse. In the German-Italian war Hesse-Darmstadt took sides with Austria, and it concluded, on September 3d, a special treaty of peace with Prussia at Berlin. By this treaty it ceded to Prussia the landgraviate of Hesse-Homburg, and some districts of Upper Hesse, together about 445 square miles, and 75,102

inhabitants; while, on the other hand, it obtained from Prussia some districts which had heretofore belonged to Hesse-Cassel, Nassau, and Frankfort, together with an area of about 38 square miles, and 11,314 inhabitants. Present area of the grand duchy, 2,955 square miles; population 816,002. Largest city, Mentz, 42,704 inhabitants; capital, Darmstadt, 29,225 inhabitants. Hesse-Darmstadt forms part of the North German Confederation, but only for the province of Upper Hesse. Yearly receipts, as estimated in the budget for the financial period from 1866 to 1868, 9,497,008 florins; yearly expenditures, 9,372,962 florins; surplus, 124,046 florins. Public debt (in 1865), exclusive of railroad debt, 2,747,000 florins. The army consists of 11,751 men.

**HOLLAND**. (See NETHERLANDS.)

**HONDURAS**. (See CENTRAL AMERICA.)

**HUGHES, ELLEN** (MOTHER ANGELA), Superior of St. Vincent's Hospital; born near Augher, County Tyrone, Ireland, about 1806; died at the hospital, New York City, September 5, 1866. She was a sister of the late Archbishop Hughes, and came to this country with her mother in 1818; her father having emigrated to Pennsylvania two years previously. The family settled at Chambersburg, and Ellen was educated in a convent at Frederick, Maryland. She joined the Sisterhood of Charity at the age of 22 or 23, assuming the name of Angela when she took the veil, and has ever since that time been a prominent member of the Order, superintending various schools and charitable institutions, principally in the city and State of New York. In 1846 the Sisterhood was divided, all the various houses of the congregation in New York, New Jersey, and the New England States being erected into a separate congregation, the headquarters of which were established at Mount St. Vincent's, within the present limits of the Central Park. Mother Angela was chosen Superior, and retained that office for six years—the longest period allowed by the rules. For the last eleven years she had been Director of the Hospital in Eleventh Street.

She bore a striking resemblance in person to her distinguished brother, of whom she was always a special favorite. She was like him, also, in decision and strength of character; though she also possessed a good deal of tenderness and affectionateness of disposition. During the late war she was active and untiring in her aid to the Sanitary Commission, caring for the sick and providing for the necessities of the needy families of absent or disabled soldiers.

**HUMPHREY, Hon. JAMES**, an American lawyer and member of the United States Congress, was born in Fairfield, Conn., October 9, 1811; died in Brooklyn, N. Y., June 17, 1866. He was a son of the late Heman Humphrey, D. D., former President of Amherst College, at which institution he graduated with distinction in 1831. After teaching two years in Plainfield Academy, Conn., he studied law at New Haven, and entering upon the practice of his



profession gained distinction, first at Louisville, and afterward at the New York bar. In the transition from one to the other he spent a season as acting professor of rhetoric and oratory at Amherst College. Having removed to Brooklyn, he was, in 1848, elected alderman of the Fourth Ward, and was reelected the following year. In 1850 and 1851 he served as corporation counsel. In 1858 he was urged to accept the nomination for Congress, and was at that time regarded as the leading man of the party. He accepted the nomination and was elected by a plurality vote, serving as a member of the Committee on Foreign Affairs, and of the Select Committee of Thirty-three on the seceding States. In 1860 he was renominated, but the district being largely Democratic, he was defeated by Moses F. Odell. In 1862 he was again beaten by Mr. Odell. In 1864 Mr. Humphrey was the Republican candidate, and was elected by a handsome majority. He was regarded as a hard-working man in Congress, and made himself especially useful as a member of the Committee on Commerce, and as chairman of the Committee on Expenditures in the Navy Department. During the summer of 1865 he visited Europe on a tour of pleasure. Mr. Humphrey possessed a mind richly stored with learning, and was particularly fond of elegant literature and the fine arts, while his line of professional service had made him thoroughly familiar with the principles of general law and national polity. He had a sound judicial mind and rare powers of discrimination, inspiring great confidence as a man wise in council, devoted in patriotism, firm in decision, and energetic in accomplishment of whatever was deliberately resolved upon. He shared in all the efforts to avert the calamity of civil war—persistent to the last in endeavors to secure peace, but without ever proposing to sacrifice the authority of the Government, or the interests of the country. In private as well as public life he was beloved for his virtues, and after completing an honorable career, was removed in the midst of his usefulness.

HUNGARY, a country of Europe, formerly an independent kingdom, now a crownland of Austria. In 1849, all the dependencies of the Hungarian crown, namely, Croatia, Slavonia, the Hungarian Litorale, Transylvania, the military frontier, and Dalmatia, were detached from Hungary, and made independent crownlands; thus reducing the population of Hungary from about 15,000,000 to 9,000,000; but the Magyars never recognized these changes, and in 1866, the Austrian Government, anxious to come to an understanding with Hungary, showed itself favorable to the reconstruction of Hungary on its old basis.\* The chief officers of administration bear the title *Tarcrnicus* (*Tarcrnicorum regaliū magister*), the highest judge, that of *Index Curia*. The former position was

held in 1866 by the Baron Paul de Sennyey. The latter by Count Valentin Török de Szendrő.

On February 26th an address, adopted by both Houses of the Diet, was presented to the emperor, stating as the demands of Hungary a recognition by Austria of the continuity of her rights, restoration of the old provinces of the kingdom (reunion of Transylvania, Croatia, etc., with Hungary), appointment of a responsible Hungarian ministry, provisional reestablishment of the "Comitats" on the basis of the laws of 1848. The Diet also appointed a committee of sixty-seven members to draw up a platform of reconstruction. The committee appointed again a sub-committee of fifteen for the same purpose. Both sub-committee and general committee followed the lead of Deak, the most influential statesman in Hungary. An imperial rescript, replying to these addresses, was read to both Houses of the Diet on March 3d. In this rescript the emperor expresses satisfaction at the acknowledgment of the Diet that certain affairs are common to Hungary and Austria, and expects that further negotiations would lead the Diet also to acknowledge the necessity for a revision of the laws passed in 1848. The rescript then states that the third article of the laws of 1848, establishing a separate ministry for Hungary, could not be maintained consistently with a proper treatment of common affairs. The emperor states that article 4 of the laws of 1848, stipulating that the Diet could not be dissolved by the Government before the budget had been voted, cannot be carried out. The rescript further announces that an immediate reestablishment of the Comitats was impossible, and finally refers to the law of 1848, relative to the national guard, in which the emperor considers some modifications necessary. The emperor repeats, in conclusion, that the reestablishment of the laws of 1848 is impossible without a previous revision.

On April 26th, a deputation of the Diet presented to the emperor a second address adopted by both Houses, in which the demands of the address of February 26th, were reiterated. The emperor, in his reply, adhered to the demands made in the rescript of March 3d, namely, a revision of the laws of 1848, and the regulation of the relation of Hungary to the whole of the empire before the recognition by Austria of the continuing validity of the Hungarian Constitution.

On the outbreak of the German-Italian war, the Austrian Government began to show a readiness to make greater concessions. The Hungarians firmly insisted upon their demands, and a few days before the battle of Custoza, the sub-committee of fifteen presented the platform for reconstruction to the great committee of sixty-seven. The platform proposed that Hungary and Transylvania, and likewise Croatia, if she is willing to accept such a proposition, should together have a separate cabinet,

\* For the statistics of the different races in Hungary, see ANNUAL CYCLOPEDIA for 1865.



independent of the cabinet for the other provinces, viz.: a president of the cabinet; a home minister—one at the side of the emperor; then ministers of the Hungarian finances, of public instruction, of commerce and agriculture, of justice, of public works, and a secretary at war. A similar cabinet might be appointed for the other half of the empire, each of the two responsible to their respective Parliaments. Above these two cabinets, however, an imperial cabinet would be appointed, consisting of a minister for foreign affairs, a minister for the imperial finances, and a minister of war, the imperial finances, foreign affairs, and the army being acknowledged as affairs common to both the great parts of the empire. Those imperial ministers, too, would be responsible to a central committee of the two Parliaments, which would have to regulate and to control the imperial budget, questions of army organization, of the debts and of the tariff, and to give direction to the ministry of foreign affairs. That committee, however, would for all the debates meet separately, the Hungarian in one hall, the Austrian in another, not to unite but for joint ballot.

On June 27th a royal rescript was read at the sitting of the chambers, proroguing the Diet for an indefinite period on account of the war. Previous to adjournment both houses passed resolutions regretting the prorogation, but hoping for the speedy assembly of the Reichsrath and the restoration of the constitution. The upper house added numerous expressions of loyalty to the crown, and the sitting closed with cheers for the king.

The Diet was reopened on November 19th. The Government sent in a royal rescript, which acknowledged that the platform of the sub-committee might serve as a basis for reconstruction, but insisted upon an explicit recognition that the questions of the debt of the army, of the indirect taxes, and of all kinds of excise and government monopolies were exclusively common affairs, and refused, before such a declaration should be made, to appoint a Hungarian cabinet. The following is the text of the imperial rescript:

We, Francis Joseph the First, by God's grace Emperor of Austria, apostolic King of Hungary, Bohemia, Galicia, Lodomeria, and Illyria, Archduke of Austria, etc., send greeting and grace to the ecclesiastical and temporal dignitaries, estates, and representatives of our faithful Kingdom of Hungary and the parts therewith connected, who are assembled in the Diet convoked by us in our royal free city of Pesth, the 10th December, 1865.

Faithful Lieges: With unshaken confidence in heavenly Providence, and in the faithful devotion of our peoples, we resume the thread of our negotiations with the Diet, the starting-point of which we pointed out in our speech from the throne, and as whose highly important and unalterable ultimate object we consider the constitutional settlement of the bond connecting the various parts of the monarchy, as well as the speedy restoration of the autonomous rights of our beloved Kingdom of Hungary. The unfavorable turn of the war, which was not to be effaced by the brilliant victories of our Southern army

and fleet, defeated those hopes we built upon the justice of our cause and the ready heroism of our army, even notwithstanding the numerical superiority of the powers allied against us. In view of the severe decrees of fate, which could only be reshaped more favorably by the utmost exertions of sacrifice, and of the moral and material strength of our peoples, we did not hesitate to restore to them, even upon hard conditions, the blessings of peace, the security of which we have always reckoned among the deeply-felt cares of our paternal heart, and among our highest duties as a sovereign. The momentous events of the past, coupled with regard for the changes that have taken place in international relations, henceforth require in an increased and really unavoidable degree, that we should hasten to the extent of our power the settlement of the pending internal affairs of our monarchy upon the basis pointed out as essential to the sincere satisfaction of the constitutional rights and claims of our peoples. In our royal rescript of the 24th of June last we have already recognized the ready activity with which the estates and representatives of our beloved Kingdom of Hungary in Diet assembled have associated themselves with our efforts, and have upon their part also begun to contribute to the solution of that common task. The more were we forced to lament that we were compelled to prorogue the Hungarian Diet just at the very time when, owing to the aforesaid diligence of the same in the preliminary consultations of the committee, a draft was obtained, respecting the starting-point and ultimate object of which—although it has not as yet passed through the legitimate stages of public debate and consideration of the Diet—we did not even at that time hesitate to express our recognition; for we feel ourselves called upon, in the endeavor to reconcile opposite demands, to turn our active attention to all those points whose development is calculated speedily to pave the way for a solution of the main question founded upon rights and equity. We see with satisfaction in that draft the lively sense of the connection of our countries expressed, and the indispensable consideration stated as a guiding principle that the security of the monarchy in its most important interest should be guaranteed. In reply to the unhesitating frankness and that confidence the estates and representatives in Diet assembled have expressed in their address to us, we therefore wish them to feel assured in advance, that we recognize the subjects proposed in the draft of the said sub-committee with reference to the debate and treatment of common affairs as a fitting point of union for the establishment of the constitutional compromise. In order still further to secure the rapid and satisfactory success of the consultations in this respect, we think it advisable to indicate those principal points with regard to which it appears requisite, for the purpose of a suitable division of common affairs, that especial attention be directed on the part of the estates and representatives. What we must indispensably uphold is the unity of the army, which, together with unity in the command and in the internal organization of its parts, also undoubtedly demands unanimity of principle in the arrangements for the time of service and filling up the ranks. The future development of internal traffic and the vital conditions of industry require just as indispensably that the customs tariff, and as a logical sequence the indirect taxation exercising an important influence upon industrial production, together with the State monopoly system, should be regulated upon an agreed and similar basis. Lastly, the State debts and the innermost being of the State credit, so intimately connected therewith, require united treatment, if the interests of the money market, which affect public life in all parts of the realm with equal vigor, are to be preserved from dangerous oscillation. By the result of the negotiations with the Diet carried on upon this foundation, we trust speedily to be in a position to



regard as in principle removed the obstacles with respect to those guaranties for the general State connection we are obliged, as the immediate consequence of the Pragmatic Sanction, to guard from every danger. We shall thus upon our part be able to contribute toward the fulfilment of the wishes conspicuously put forward in the addresses of the estates and representatives, and by the appointment of a responsible ministry, as well as the restoration of the municipal self-administration, to do justice to the constitutional demands of the people of our beloved kingdom of Hungary. While we are resolved to introduce the responsible system of government not only into Hungary, but generally, we reserve to ourselves to carry out the detailed application and realization of the principles referring to common affairs, together with the modification of those stipulations of the laws of 1848, respecting which we expressed our hesitation in our royal rescript of the 3d March last, through the responsible ministers to be appointed by us, and in agreement with the estates and representatives in Diet assembled. We entertain the hope that the estates and representatives of our beloved Kingdom of Hungary will receive the candid statement of these our paternal intentions with unprejudiced feelings, and will make the points of view dwelt upon by us the subject of earnest deliberation, suitable at the same time to the requirements of the day, thereby upon their part accelerating the fulfilment of our most earnest wish, viz., the secure introduction of constitutional organization into our collective realm. The country now stands upon the threshold of the fulfilment of its wishes. The sentiments which induced us to place in its hands the decision as to its own future, to be arrived at by a correct recognition of its interests are not changed. We assuredly believe that the conscientious coöperation of the good-will of both parties will succeed in imparting to that future a basis calculated to harmonize the venerable traditions of the past with the demands of the present, and thereby permanently to secure their renewed prosperity.

Given at our capital city of Vienna, this 17th November, 1866.

FRANCIS JOSEPH.

GEORGE VON MAJLATH.

JOHANN VON BARTOS.

The rescript was not regarded by the Diet as satisfactory. Deak and his party refused to alter the platform, unless a cabinet were appointed to conduct the public business; but they were willing to consider the platform of the fifteen in the committee of the sixty-seven. Tisza and Ghiczy, the leaders of the radical party, on the other hand, wanted to break up the negotiations, and to declare that unless the ministry were nominated, Parliament should suspend any further proceedings, and not transact any business. After an animated five days' debate, the ballot decided for Deak and his followers; they had 226 votes against 107 of the Opposition, thus establishing the fact that the cabinet could reckon upon a majority of two-thirds. Upon this, an address was drawn up by Deak, moderate and statesman-like in its form, but sufficiently stern in substance, and being, in fact, the ultimatum of the Hungarians. It strongly insists upon the continuity of the rights of the country, and reiterates all the demands of the former two addresses. The text of the address is as follows:

*Your Imperial and Royal Majesty:* When, at the opening of the present Diet, your majesty solemnly expressed from the throne your zealous wish that we might succeed in happily completing the great work

of agreement, we, the representatives of the nation, securely hoped that we should be able in a short time to obtain the satisfactory, permanent, and lasting solution of the existing weighty difficulties. We hoped this, because your majesty, in the speech from the throne, had definitively chosen the Pragmatic Sanction as the starting-point and legal basis recognized by both parties. We were convinced that as soon as your majesty desired a permanent and lasting agreement, the legal basis without which every agreement in a constitutional way is impossible, which your majesty had yourself recognized and selected as a starting-point, would be immediately and first of all completely restored. But, alas! this hope has not been fulfilled to this present hour. The Pragmatic Sanction, of which the portion guaranteeing the rights and the constitution was suspended by a one-sided decree, is still, *de facto*, suspended; our constitution is not yet restored, and the condition of continuity of right we have repeatedly requested and urged is not yet fulfilled. Upon what foundation are we, therefore, to build up the work of agreement if the only secure basis is still out of existence? In what way are we to strive for the desired object if that only way which we as representatives of the nation are at liberty to pursue—the path of constitutionalism—is still closed against us? In our addresses respectfully submitted to your majesty by this Diet we have developed all those important reasons by virtue of which we have rightfully urged the immediate restoration of our constitution. We have stated the necessity of upholding inviolate, and practically carrying on the constituted laws so long as they are not suspended in the way prescribed by law. This is a vital condition of the existence of the state, without which neither the whole nor details in the law are able to find secure support. The recognition of the laws, and the denial of their practical execution, cannot legally subsist side by side. We see with apprehension that the reasons we have brought forward, and our repeated requests, have hitherto been unable to determine your majesty to fulfil that justifiable wish of the nation, the refusal of which is at the same time a refusal of the rights guaranteed by the Pragmatic Sanction. The gracious rescript which your majesty recently deigned to forward to us, in reply to our second address, is, even in the promises and recognition it contains, not able to calm our apprehensions, for we asked the immediate restoration of our constitution, and for full continuity of right, and this request the royal rescript does not fulfil. That which is not definitively refused therein is made dependent upon time and conditions, but to postpone or couple with conditions to be subsequently fulfilled the maintenance and execution of rightfully existing laws is not only opposed to our constitution, but in contradistinction generally to the first principles of legality and constitutionalism. We ask with respectful homage that your majesty will not render the great work of satisfactory agreement impossible by the postponement of the restoration of our constitution and the establishment of continuity of right. So long as we stand outside the constitution we cannot exercise the constitutional right of legislation. Absolute power upon the one side, and a nation deprived of its constitutional freedom upon the other, will never arrive at a satisfactory, lasting, and permanent agreement. The constitution confers the right upon us, the representatives of the nation, to make an agreement in the interest of the throne and the country with the sovereign—*i. e.*, with the other portion of the legislative power—and without a constitution the exercise of this right rests upon no secure foundation. There are situations in the life of states that cannot long be endured without danger. There are situations which, even without fresh confusion, poison the strength of the state, consume and make it incapable of withstanding strong convulsions, or of long keeping its position after such convulsions have



occurred. Such a situation is that when the internal relations of a state are long shaken and disordered, when the material force of the main body and of individuals is exhausted, when trust and confidence totter. Where are throne and state to find secure support when their own people can no longer serve them as pillars? Such a situation is at any time dangerous, but it is especially dangerous in our time, when unsettled great questions, excited interests and minds threaten the nations of Europe from all quarters with endless complications. Our internal circumstances, indeed those of your majesty's entire monarchy, are also not in so firm and orderly a condition that we are able to look calmly forward with a feeling of full security to those eventualities which external complications and accident which cannot be foreseen may bring upon us. Much, very much, must be done rapidly, and without delay, for the postponement of which there is perhaps no longer time. We trust your majesty will not permit the events that may occur to find us in such a condition. Furnish us with the means and opportunity to complete the pacificatory agreement, and to regulate our own internal affairs in a manner which may preserve our already exhausted material force, and the welfare of the general body and of individuals from ruin, which may even advance and develop them to the limits of possibility, which just, fair, and calming satisfaction of the citizens of all nationalities and every creed in our country may again strengthen the land, and render it an immovable support of the throne of the state. It is above all requisite for the attainment of this object, as we have explained in our previous addresses, that the constitution should be fully restored, and continuity of right should actually come into operation. While, therefore, we beg, and repeatedly urge, that this may be effected, we do this in the interest of our own fatherland, in the interest of your majesty, and of the ruling house, and in that of the whole monarchy. The justification of our demand is based upon the laws and those fundamental treaties which also constitute the foundations of the relations of right reciprocally existing between ourselves and your majesty's dynasty. It is based upon the general principle of constitutionalism, and also upon opportuneness, which is justified by cautious considerations of the present political situation, and of the events that may very possibly occur. We cannot at present enter into negotiation upon that portion of the royal rescript which offers remarks upon the relations arising out of common interests and the draft of the sub-committee of fifteen. Upon the 1st March last we entrusted this matter to a committee, consisting 67 members. This committee nominated from its centre the above-mentioned sub-committee, and the result of its labors must, therefore, first be treated by the committee of 67, after which the report of that body will be laid before us. Owing to this circumstance we cannot state our views as to the above-mentioned remarks of the royal rescript until we are in a position to deliberate and resolve upon the entire draft in parliament. We have repeatedly submitted to your majesty our request upon behalf of our fellow-citizens exiled for political causes, and this request unfortunately still remains unfulfilled. We now renew this request, and beg your majesty, with respectful homage, to restore these, our fellow-citizens, to their country and their families. The satisfactory effect of agreement is only to be hoped for by conciliation, and this will be all the easier and more probable, the less grief and bitterness remain in the breast of the citizen. This it is that we have considered it our duty to reply in sincere confidence to the gracious rescript recently forwarded to us by your majesty. We firmly adhere in this respect to all we have hitherto submitted, to the restoration of our constitution, and the introduction of continuity and right. Nothing but the fulfilment of these requests can quiet the nation; that alone can render us able to carry out the most sacred

duty awaiting us in the sphere of legislation; that alone can afford us hope for prosperous success of the agreement. For this very reason we are unable to retreat in any point from these our just demands, for our position as representatives, the law, constitutionalism, the interest of the fatherland and of the throne, and our own consciences forbid us to do so in equal measure. May your majesty deign not to refuse the wishes of the nation, not to couple the restoration of our constitution with conditions as to which we should be unable to resolve in the way of legislation without such restoration. May your majesty take into gracious consideration that in the Pragmatic Sanction, the maintenance of the rights and constitution of the nation is reciprocally coupled with the settlement of the succession to the throne, and with no other condition. May your majesty not postpone the execution of our requests, which are demanded not only by right and law, but by the interest of the throne and of fatherland, and are urged likewise by the warning voice of critical times. We have welcomed with joy your majesty's resolution to govern constitutionally throughout your entire monarchy. We see with joy from your majesty's gracious rescript recently forwarded to us that it is your intention to introduce a responsible ministry, a fundamental condition of constitutionalism, also into your other dominions. We are convinced that this is the only way by which your majesty can confirm the security of the throne as well as the power and might of the state, for it is by this means alone that every individual country, while readily defending the state against external dangers, at the same time defends its own constitution, and that the freedom of one country serves as a support to the freedom of another. It is impossible that your majesty, while striving for the attainment of this lofty object, should refuse the complete restoration of that Hungarian constitution which has existed for centuries, and is guaranteed by solemn fundamental treaties; it is impossible that your majesty should not most graciously regard that fundamental principle of state right of which it is the first and most sacred duty of power to maintain inviolate, and to execute rightfully existing laws, so long as they are not suspended in the ordinary way of legislation; it is impossible that, by disregard of this principle, your majesty should not shake the belief and the confidence of your people in the secure future of their constitutional liberties. May your majesty, therefore, first of all restore to the Hungarian nation its constitutional freedom, that being secured in its rights, it may grow strong in unity, increase in material force, and afford your majesty's throne a safe support amid all dangers.

The "Resolution" (Radical) party brought in the draft of another address, but the one proposed by Mr. Deak was adopted by a large majority in both Houses.

As regards the relation of Hungary to her dependencies, the Austrian government urged the latter to send deputies to the Hungarian Diet, leaving, however, the question of reunion an open one. On January 9th a royal rescript prorogued the Transylvanian Diet, and summoned the Transylvanian deputies to Pesth. The summons was complied with, and on February 22d members and deputies from Transylvania took their seats in both Houses of the Hungarian Diet.

The Croatian Diet did not show the same readiness to comply with the wishes of the Austrian government. On February 23d the emperor, in reply to an address from the Croatian Diet, expressed a wish that the Diet of Croatia should speedily come to an understand-



ing with that of Hungary upon the question of union. On March 8th the Diet adopted the following resolution :

*Resolved*, That the Diet, while regretting that the emperor does not wish that Croatia should continue to maintain her separate administration, resolves to send a deputation of twelve of its members to the Hungarian Diet at Pesth, which will then represent Hungary, Croatia, and Transylvania, and will settle all questions common to them and the other Austrian provinces.

On March 11th the deputation was elected. On their arrival at Pesth, the Hungarian Diet appointed a committee to confer with them. The negotiations lasted until June 18th, when the deputation returned to Agram. The joint committee agreed upon a basis of union according to which Croatia is to maintain her autonomy, but to form, in questions relative to the

other provinces of the empire, one common body with Hungary. On the reopening of the Croatian Diet in November, a report of the negotiations was laid before it. On December 18th the Diet agreed to the proposals contained in the draft of the address that the autonomy and separate administration of Hungary, Croatia, and Transylvania, ought to remain the unchangeable basis of the constitution of those provinces; that Croatia is under no obligation to send representatives to the Hungarian Diet, and that she has a right to treat independently with the emperor respecting the future constitutional position.

In March the Croatian Diet had adopted a resolution proposing that freedom of worship be accorded to the Protestants of Croatia and Slavonia.

## I

ILLINOIS. Such is the growth of this State, that in a few years, by judicious taxation, it will be free from debt. In 1860, with the exception of a few bonds, the debt amounted to \$10,277,161, and in 1861 it was increased by the issue of bonds, principally for war purposes, to \$12,574,171. It has been reduced by subsequent payments, until, on December 1, 1866, it amounted to \$8,638,252. The principal source of revenue to the State, apart from taxation, is the Central Railroad, seven per cent. of the gross earnings of which are paid into the State treasury, to be applied to the interest-paying portion of the State debt. The amount received in 1865 was \$496,489; do. in 1866, \$427,075; total, \$923,565.

The total taxable property in the State, as assessed in the year 1864, was \$359,878,837; do. in 1865, \$392,327,906. The amount of revenue tax received into the treasury from these assessments was, in 1865-'66, \$645,317. By the transfer of the war fund to the revenue fund, amounting to \$465,476, the aggregate receipts for the two last years, with those from miscellaneous sources, amount to \$1,351,789. The expenditures for ordinary and special purposes, during the same period, amount to \$1,290,858, leaving a balance, on December 1, 1866, of \$66,523, which, deducted from the receipts from extraordinary sources, show that a deficit of \$533,383 would have existed without such receipts. The estimate of the receipts from ordinary sources for the two years, ending December 1, 1867, amount to \$800,000, and the expenditures for the same time to \$950,000, without regard to special appropriations of the Legislature. Nevertheless it is believed that the present rate of taxation of twelve cents on the hundred dollars, under a fair valuation, in which all the property of the State should be made to pay taxes, would yield sufficient to meet all prudent demands.

The entire taxable property of the State, for 1864, was returned at \$356,878,837, and for 1865 at \$392,327,906. The census of the United States in 1860, which did not include all the taxable property, shows the value of real estate and personal property at that time to have been \$904,182,020. The Governor says: "It is confidently believed the real wealth of the State, at the present time, is not less than \$1,200,000,000. The unequal method of assessment has resulted in great inequality and injustice to tax-payers. Taxes on the same kind of property vary twenty-five, fifty, and one hundred per cent. in different counties."

According to the census taken in the State in 1865, the number of manufacturing establishments is 3,500, and by the Federal census, in 1860, it was 3,268. While the value of the product for those of 1860 amounted to \$57,586,886, the value of the products of manufacture in 1865 was \$63,356,013. Whole value of live stock in the State in 1860 was \$70,000,000; in 1865, \$123,770,554. Value of agricultural products of 1865 amounted to \$83,280,848. Number of coal mines in 1865, 380; product of the same for 1865, \$1,078,495 tons. Total population of the State in 1860, 1,711,951. Population of the State in 1865:

White males.....	1,093,111	
White females.....	1,033,059	2,124,170
Colored males.....	9,112	
Colored females.....	8,223	17,340

Aggregate population in 1865..... 2,141,510

The increase of population advances the number of members in the assembly of the Legislature from eighty-five to ninety.

The number of common schools of the State, scholars, etc., as reported by the superintendent of public instruction, on September 30, 1866, was as follows:



Whole number of schools in the State, September 30, 1866.....	9,495
School-houses built in 1866.....	612
Whole number of school-houses.....	9,753
Whole number of scholars, males.....	320,977
“ “ “ females.....	293,682
Total.....	614,659
Whole number of teachers, males.....	6,825
“ “ “ females.....	10,454
Total.....	17,279

Of the total number of school districts in the State (9,938), schools have been maintained for six months or more in 9,176.

The following is a statement of the revenue received and disbursed for the school-year ending September 30, 1866:

## RECEIVED.

Interest on school fund.....	\$54,565
Two mill tax.....	750,000
Interest on county fund.....	17,059
Interest on township fund.....	361,397
School lands sold.....	66,802
Special district taxes.....	2,789,335
Miscellaneous sources.....	405,972
Total.....	\$4,445,130

## EXPENDED.

Teachers' wages.....	\$2,531,036
School-houses, sites and ground.....	65,987
New school-house.....	830,889
Amount paid for the purchase of school-houses...	13,779
Rent of school-houses.....	18,752
Repairs of school-houses.....	216,365
School furniture.....	62,982
School apparatus.....	10,969
Libraries.....	4,106
Fuel and incidentals.....	812,828
To township officers and others.....	85,322
Miscellaneous.....	206,119
Total.....	\$4,359,238

Every department of the State Normal School is full, and large numbers qualified for teaching annually graduate.

The charitable institutions of the State, located at Jacksonville, have been liberally supported, and continued in successful operation. The number of the incurable insane is so large and increasing, that it has become a matter of public concern. A school for idiots was authorized in February, 1865, which has been commenced and conducted thus far in a manner to produce most beneficial and important results. Twenty-five pupils are under instruction, and applications for a large number of others have been received. An Eye and Ear Infirmary has been in operation at Chicago for nine years. Five hundred and fifteen patients received treatment during the year. Being an incorporated institution, it is proposed that the State shall make provision in it for the indigent curable blind. A Soldiers' Home, at Chicago, supported by voluntary subscriptions, contains about one hundred persons. No progress has yet been made in the organization of an agricultural college. The share of the state in the appropriation by Congress for that purpose amounts to 480,000 acres. A geological survey of the State has been completed in thirty counties. It is estimated that, with an annual appropriation of \$10,000, the work can be completed in two years. The number of convicts in the State

penitentiary in 1864, was 586. This number had increased on January 1, 1866, to 1,073. An act, authorizing the construction of a penitentiary, capable of holding one thousand convicts, was passed by the Legislature in 1857. Within ten years, and before the building is completed, the limits of its capacity have been reached.

The Governor, in his message to the Legislature, called their attention to the constitutional amendment proposed by Congress, and said:

If the pending constitutional amendment shall fail, or if adopted shall still fail to secure these ends, other more adequate and comprehensive measures will be inaugurated, which shall not fail to restore and reestablish the Government upon the basis of the indivisibility of the Union, the supreme authority of its laws, and the equal liberty of all its citizens of every State in the Union. In submitting this proposed amendment to the Legislature of Illinois, it affords me pleasure to recommend its ratification by your honorable body.

On August 8th, a Republican State Convention assembled at Springfield to nominate candidates for members of Congress at large, State treasurer, and superintendent of public instruction. The following resolutions, expressive of the views of the convention on the questions before the country, were adopted:

*Resolved*, That in the great Union party of the nation, whose counsels safely guided the country through the rebellion, and whose arms conquered and subdued it, we recognize the party whose principles alone can be relied upon and adhered to with safety in the reconstruction of the State governments of the rebellious States.

*Resolved*, That we cordially endorse the policy of the Congress of the United States with reference to the restoration of the State governments destroyed by the rebellion; that we fully approve of the amendment to the Constitution of the United States adopted by Congress, and submitted for ratification to the people.

*Resolved*, That under the Constitution, which provides for a qualified veto upon the legislation of Congress by the President, when that body has enacted laws by the constitutional majority of two-thirds over the Presidential negative, the President himself, as well as the people, should bow to their decision, as that of the highest power in the nation; and that any attempt on his part to oppose the faithful execution of such laws and to substantiate in lieu thereof his own will, is an unwarrantable usurpation and dangerous to the liberties of the people.

*Resolved*, That Congress, without the coöperation of the President, has the sole power of proposing amendments to the national Constitution; that, as the people's representatives, it is the only standard of the national will, and that in the present disturbed condition of the Southern States in their relations to the General Government, we recognize Congress as the supreme power, and will sustain its action in all just and patriotic modes in behalf of the Constitutional Amendment now submitted to the States.

*Resolved*, That it should be a recognized maxim in political science, to give the friends and defenders of a government its direction and control; that to its enemies and assailants should be accorded only such privileges as can be intrusted them without danger to the Republic.

*Resolved*, That we regard the Congressional test oath as one of the great bulwarks of union and liberty, and that we are unalterably opposed to any change or abridgment thereof.

*Resolved*, That our sympathies as a party go out in



favor of the struggle of liberty-loving people for freedom, believing that we should accord to others all that we claim for ourselves.

*Resolved*, That in common with, and as part of the great Union party of the nation, we hereby tender to the soldiers and sailors of our country, our most unfeigned and heartfelt thanks for achievements and triumphs that will ever immortalize them and the nation whose government they saved; and we trust the time may never come when the people will cease to hold in grateful remembrance, or fail to reward the preservers of the Union.

*Resolved*, That the recent massacre by reconstructed and pardoned rebels of loyal men in New Orleans, is the legitimate result of the policy of President Johnson, and we hold him responsible for the murders on that occasion of loyal white and black men, whose only offence was their loyalty to the country.

*Resolved*, That we are in favor of that kind of legislation which shall tend to alleviate the hardships, shorten the hours of labor, and improve the condition of the laboring classes.

*Resolved*, That this convention fully approves the proposed action of Congress in the modification of the neutrality laws of the United States, and that we deeply sympathize with our Irish fellow-citizens in their love of their native land, and that we will rejoice with them on the redemption of Ireland from British misrule and wrongs, and that they shall have our countenance and support in all lawful means employed to accomplish that end.

The following preamble and resolution were adopted by a silent standing vote of the Convention:

*Whereas*, since the assembling of the last Illinois State Convention, the favorite son of Illinois, Abraham Lincoln, then President, has been stricken down by the hand of an assassin, the nation left to mourn the loss of its Chief Magistrate, and the foremost man in the cause of freedom and the Union; therefore,

*Resolved*, That this Convention, standing in the immediate neighborhood of the great martyr's bones, reverently, in honor of the illustrious dead, the memory of whom lies enthroned among all the virtues which adorn a man, solemnly pledge anew our devotion to the great principles for which he was slain.

Subsequently, on the 29th of the same month, a Democratic convention assembled at the same place, also to nominate candidates for the same offices. The resolutions adopted as expressive of their views were as follows:

*Resolved*, That the claims of the laboring men for a reduction of the time of labor, so far as that subject lies within the scope of legislation, should merit the attention and favorable consideration of our legislative bodies, as well as of the executive departments.

*Resolved*, That the revenues of the government should be derived by equal taxation upon property in proportion to its value, and that no species of property not used for religious or educational purposes, and no class of persons, should be exempt from their just share of the public burdens, or receive special favors and privileges, to the injury and impoverishment of the community at large.

*Resolved*, That the legal tender notes of the United States are a cheaper, safer and better currency than the bills of the so-called national banks, and should be substituted therefor as soon as it can be done without injustice or injury.

*Resolved*, That any and all attempts of any European power to impose on any portion of the inhabitants of this continent a form of government, or rulers, to which they do not freely consent, should be condemned and opposed.

*Resolved*, That the sympathies of the democrats and conservatives of Illinois are with the people of

Ireland, and with the oppressed of every other nationality, and we hope that at an early day they may obtain redress of their grievances, and the recognition and protection of their rights. The democratic party points with pride and satisfaction to its record in the past, which shows that it has always sustained the constitutional rights of adopted citizens against all organized opposition to those rights.

The Democrats and other conservative Union men of the State of Illinois, in convention assembled, approved and renewed the declaration of principles made by the National Union Convention at Philadelphia on the 14th day of August, 1866.

The election in the State for members of Congress, Treasurer, and Superintendent of Schools, and members of the Legislature, took place on November 6th. The vote given for General John A. Logan, Republican candidate for Congressman at large, was 203,045; for Colonel T. L. Dickey, the Democratic candidate, 147,058; majority for Logan, 55,987. Of the thirteen members chosen by districts, the Republicans elected all except in the 10th, 11th, and 12th districts. The Legislature chosen was divided as follows:

	Senate.	House.
Republicans.....	16.....	62
Democrats.....	9.....	23
	<hr/>	<hr/>
Repub. maj.....	7.....	39

The general prosperity which prevailed throughout the State during the year, was most strikingly apparent at Chicago, its principal city. The number of buildings erected in the city was carefully estimated at 9,000, of which there were eleven churches, and seven school-houses. A tunnel was commenced to afford a passage under the Chicago river, while the one under Lake Michigan to procure fresh water was completed. As constructed, it is calculated to deliver under a head of two feet, 19,000,000 gallons of water daily, and under a head of eight feet, 38,000,000 gallons daily; and under a head of eighteen feet, 57,000,000 gallons daily. The velocities for the above quantities will be one and four-tenth miles per hour, head being two feet; head being eight feet, the velocity will be two and three-tenths miles per hour, and the head being eighteen feet, the velocity will be four and two-tenths miles per hour.

INDIA, BRITISH,\* a dependency of Great Britain in Asia. Area, about 933,722 square miles. The population is variously estimated at from 135,000,000 to 200,000,000. The English population amounts to only 125,945, of whom 84,083 are connected with the army. The actual strength of the army was on April, 30, 1862, 78,174 Europeans, 125,913 natives; total, 204,087.

The year began and closed with a famine in a form more terrible than India has ever seen. It manifested itself so early as October, 1865. From the first week of January the East India

\* For a full account of the Government of British India, see ANNUAL CYCLOPEDIA for 1865.



Irrigation Company began to import rice into Orissa. Sir C. Beadon, the Lieutenant-Governor of Bengal, when inspecting their works in February, was urged to do the same, but in common with the local officials, who were new to the province, he laughed at such fears, and declared that still higher prices would bring out hidden stores. Meantime the people were dying there and in Ganjam. In April and May it is calculated that half a million of people died, but not till May 2d did Mr. T. Ravenshaw write a horrible picture of the famine he had derided, and not till June 4th did the Board of Revenue communicate it to the public. On June 4th the first cargo of rice reached Cuttack; only one officer was sent to relieve the overworked and now alarmed officials; the public were told not to subscribe; as there was a balance of £62,500 from the old famine fund, and the Bengal Government derided the famine—which had already killed half a million—and would not sanction the formation of a public committee. The viceroy, on this, “requested” Sir Cecil Beadon to do his duty by going to Calcutta; but the latter would not yet believe in the famine, and so a few more hundreds of thousands of lives were sacrificed. England, meanwhile, reëchoed the cry of indignation which sounded from India, and when a million at least had died, a commission of inquiry was sent down to Orissa. The year closed with deaths from starvation and its consequences still counted by the day, and with thousands of foundlings in Calcutta, which city behaved so nobly, and in Orissa to be cared for by public charity.

The Bhootan war,\* forced on by Sir C. Beadon and his secretary, came to a close by the return of the two abandoned guns to a force which penetrated as far as the Morass river, not, however, until the lives of 94½ per thousand of the native troops, and nearly 76 per thousand of the whole force had been sacrificed, or nearly every tenth man, besides invaliding on a frightful scale, resulting in the death of valuable officers, like Colonel Bruce, who concluded the treaty. On the frontier the rapid massing of troops to meet a threatened attack of the Eusufzai tribes, saved India from a repetition of the Umbeyla campaign. The fortification Peshawur went on. The policy of the government on the Assam and Cachar frontier collapsed. Wild tribes, never taught to feel British power, had been coaxed by black-mail, with this result, that the lives of the settlers were unsafe, and whole tracts were left uncultivated. An experiment was accordingly attempted with the Angamee Nagas, on the Punaub principle of government by an individual officer, education by missionaries and inexorable firmness. Lieutenant Gregory was appointed to the new station of Samoogooting to carry this out. The close of the Bhootan war and demarcation of the frontier, by which England

keeps a fine piece of Himalayan territory between Darjeeling and Bhootan so that for some fifty miles the border of British India marches with Thibet, was followed by new administrative arrangements as to districts, including the management of the native state of Cooch Behar during the minority of the rajah. A special brigadier also was appointed to Assam, with his headquarters at the new station of Shillong.

The grandest “durbar” which has ever been held by the representative of the English Government in India, took place at Agra in November. The assemblage was not only much larger than on the former occasion, but it was much more influential. There were in Agra, with the governor-general, the commander-in-chief, three lieutenant-governors, two chief commissioners, several agents of the governor-general, and about a dozen other political agents and residents. These, with their staffs, attended to assist the viceroy in the duties of the durbar, and some of them were there invested with the Star of India. There were also present, to do honor to the representative of the British Government, nearly a hundred leading princes and chiefs, many of them belonging to the royal houses of Rajpootana, who claim to be descended from “the sun and moon,” and some 300 chiefs and nobles of less lofty parentage and power, each of whom was attended by a crowd of ministers, retainers, and servants; while private individuals innumerable flocked thither from all parts of India. The chief events of the durbar were the installation of the various Knights and Companions of the Star of India, which took place on the 16th, the grand durbar proper on the 20th, and the entertainment given on the 17th by his highness the Maharaja Scindia of Gwalior, in honor of Sir John Lawrence, which cost the sum of £5,000. Balls, reviews, races, athletic sports for the soldiers, and “at homes” filled up the intervals, and kept up a continual round of gayety.

A great and successful activity in behalf of female education in India, was displayed by Miss Carpenter, an English lady of Unitarian sentiments. She arrived in Bombay on September 25th, and after making a tour of Guzerat, and holding several meetings in Surat, she proceeded to Madras, where she enlisted the warm sympathy and coöperation of Lord Napier, the governor of that presidency. From thence she went to Calcutta, where her independence and amiability of character created a decided impression in her favor. On December 17th she convened an important and influential meeting in the cause of social science in the hall of the Royal Asiatic Society, which was presided over by the Lieutenant-Governor of Bengal, and at which were present the Viceroy, several members of the government, the Director of Public Instruction and others in the Educational Department, many members of the Royal Asiatic Society, and a large number of native gen-

\* See ANNUAL CYCLOPÆDIA for 1865.



tllemen, friends and supporters of reform. Miss Carpenter gave an interesting account of the origin, working, and progress of the Social Science Association of Great Britain, the Social Science Associations formed on the Continent, and in America, and suggested well-considered plans for awakening greater interest in England as regards India and her needs. The result of this meeting was the formation of a committee to organize a branch of society for the purpose of following out social science investigations, so far as they have any relation to the people and institutions of India. Miss Carpenter also held meetings at the Bethune Society, Kishnagur, and other places, for the establishment of ragged schools, and schools for female education—one of which she supports entirely at her own expense.

In 1864-'65, there was an increase over the previous year of 108 schools, and 4,391 pupils in the Madras Presidency, the total number being 983 schools, and 39,100 pupils under State inspection. Of these, so many as 28,402 were in non-Government schools. Of the 39,100 pupils, 418 were Europeans, 2,694 were Eurasians, 6,963 were native Christians, 27,579 were Hindoos, and 4,446 were Mohammedans. Of the entire number, 3,963 were girls, of whom 125 were Europeans, 907 were Eurasians, 2,148 were native Christians, 766 were Hindoos, and 17 were Mohammedans.

The religious reform movements among the natives of India begin to attract great attention. In the ANNUAL CYCLOPÆDIA for 1865, we referred to the Brahmo-Somaj, a sect of reformed Hindoos. Miss Carpenter placed herself in communication with the sect, and while attending the Calcutta examinations, was astonished at the number of candidates presented. According to letters of English missionaries, a schism has recently occurred in the sect, caused by the influence of a young man, who, after studying the Bible, manifested an uncompromising opposition to Hindoo worship and caste, and drew after him a number of the junior and rising members of the Somaj. The President of the Association would have tolerated, for a time at least, some Brahminist rites and class restrictions, and would not go the length of the more resolute iconoclasts, but the younger members would not be restrained. Hence the secession. Of another new sect which has recently appeared in and near the Punjab, we find the following account in the Calcutta *Englishman* :

This new brotherhood are called *kokay* or *kireetee*, the former word meaning, we believe, a repeater or mumbler of prayers; and the latter, a religious devotee. The origin of the society, which is now some four or five years old, is attributed to a carpenter who resided in the neighborhood of Loodianah, but who, it would appear, came originally from Umritsir. The sect are said to be deists, and do not recognize idols, pictures, or any objects of material worship. We were in error in saying the other day that the society is open to all the religions of Upper India; as Christians, Mohammedans, and Jews are not eligible for admission, which is confined to Sikhs and

Hindoos of the lowest castes for the most part; though some Khalsa Sikhs of family and position are among the members. From all that we can learn, the sect is founded on the creed and principles of the "Gooroogrunth;" and the ceremony of admission is believed to consist in some oath of secrecy being administered, a drug or libation being also given, which is considered to seal the obligation. The members are also said to accept the condition of poverty as *fakirs*, but we believe that this is not absolutely necessary to qualify for admission. It is further believed, as we stated the other day, that this sect has at present no political significance or importance; but the members state that they will declare themselves, and, as we understand, show their flag, *nu-sheen*, when they have "a *lakh* of men." The sect is now believed to number about 1,000 or 1,500 members; but its adherents are fast increasing, especially in the Puttiala territory, where, and in the Punjab, its existence is well known, and watched with considerable interest, of which perhaps, it is also deserving elsewhere.

By a parliamentary paper recently published, we find that there are now in India 14,500 miles of Government telegraph, and that the cost of these lines has amounted to upward of one million and a quarter sterling. There are eight railway companies in India, all of which have also constructed lines of telegraph, the united number of miles being 3,141, and the cost nearly half a million. These latter lines are maintained at an annual cost of £41,000, and their receipts in 1864 do not appear to have yielded much more than £4,500.

INDIANA. The receipts into the State treasury from November 1, 1865, to October 31, 1866, including a balance on hand at the latter date of \$86,051.08, amounted to \$4,043,086.57, and the total disbursements for the same period were \$3,661,564.08, leaving a balance on hand for the fiscal year, ending October 31, 1867, of \$381,522.49. Among the items of expenditure were \$242,281.71 for ordinary purposes, and \$426,359.44 for public institutions. The estimated expenditures for the next fiscal year are \$973,073.12, of which \$271,800 are for ordinary purposes, \$130,000 for public instruction, \$89,100 for military purposes, and \$482,173.12 on account of the State indebtedness. The estimated receipts for the same period are \$1,684,179.69, and the estimated balance in the treasury on October 31, 1867, will amount to \$711,106.57. The total tax levies for 1866 were \$10,167,834.39, and the total valuation of real and personal property was \$578,484,109. The total valuation of taxables in 1846 was \$122,265,686, and in 1856, \$279,032,209, showing an increase in twenty years of \$456,218,423 in the wealth of the State.

The following table exhibits a statement of the funded interest-bearing debt of Indiana at the close of the last fiscal year :

Stock bearing 5 per cent. interest.....	\$5,342,500 00
Stock bearing 2½ per cent. interest.....	1,611,389 90
War bonds bearing 6 per cent. interest.....	848,000 00
Vincennes University bonds, bearing 6 per cent. interest.....	66,585 00
	<hr/>
	\$7,868,474 90

A considerable portion of this debt is held by the State, making a reduction in the amount for which the State is liable, as follows, viz. :



Five per cent. stocks held by State Debt Sinking Fund Board.....	\$764,483 00
Two and a half per cent. stocks held by State Debt Sinking Fund Board.....	96,900 00
	<u>\$861,383 00</u>

Total outstanding debt..... \$7,007,091 00

Of this latter amount the State holds stocks in trust for the common school fund as follows, viz.:

Five per cent. stocks held by the Sinking Fund Commissioners....	\$748,080 67
Two and a half per cent. stocks held by Sinking Fund Commissioners.....	323,398 25
Six per cent. War Loan Bonds held by the Sinking Fund Commissioners.....	539,000 00
	<u>\$1,610,478 92</u>

Total debt, exclusive of the amount held by the State..... \$5,396,612 98

The auditor estimates that the State Debt Sinking Fund tax for 1866 will, on July 1, 1867, furnish \$900,000, and that enough can be drawn from the general fund in the treasury at that time, and added to this amount, to redeem all the outstanding two and a half per cent. stocks, amounting to \$1,191,091.65, which will leave outstanding in the hands of creditors \$4,205,521.33. The assets of the Sinking Fund, independent of State stocks and bonds, which by law are to be applied to the payment of the State debt, are estimated at \$1,000,000, half of which amount can be made available by July 1, 1870. This, if properly applied, would leave the balance of the debt to be provided for and paid by taxation \$3,705,521, which, it is estimated by the auditor will be fully accomplished at the present rate of taxation for that purpose by July 1, 1870.

In the above estimate of indebtness no mention is made of the internal improvement bonds, amounting to \$353,000. They form a part of the old State debt, upon which a compromise was made in 1846, and were originally, and in some cases are still held by persons who failed or refused to enter into the compromise. For more than twenty-five years, no interest has been paid upon them. "The attitude of the State in regard to them," says Governor Morton in his message to the Legislature, "is not creditable and ought to be changed. Year by year the State, by her accounting officers, publishes and confesses to the world that they are a part of her indebtness, but pays no interest on them, which has now accumulated to more than half a million of dollars, and makes no offer to pay the principal, although it has long been due. \* \* \* \*

If the State believes that she is not bound to pay them, and does not intend to do so, she should through the Legislature promptly declare that fact to the world, and have them stricken from the books of the auditor. If, on the other hand, she holds herself bound to pay the whole or any part, she cannot honorably longer delay to take action for that purpose, as her ability to pay cannot be denied."

The result of the enumeration ordered by the Legislature of 1865 showed that in 1866 the

State had a population 340,240 white males over the age of twenty-one, which number multiplied by the ratio usually adopted, would give a population of over 1,700,000. This indicates a gain of more than 350,000 over the population as returned by the United States census of 1860, and a probable population of 2,000,000 in 1870. Upon this enumeration is to be based the apportionment of numbers of the State Legislature.

The school fund of Indiana is estimated at \$7,611,337.44, and the revenue for school purposes derived from this and other sources in 1866 amounted to \$1,330,863.79. The following table exhibits the principal facts relating to the condition and progress of the public schools of the State for the year ending August 1, 1866:

Whole number of children between 6 and 21 years of age.....	559,778
Number of school districts.....	8,399
Pupils attending primary schools.....	390,714
Pupils attending high schools.....	12,098
Number of male teachers employed.....	5,310
"    of female    "    .....	4,163
Expended for tuition.....	\$1,020,440
Total value of school property.....	\$4,515,734
Total number of school-houses reported.....	8,231
Volumes in township libraries.....	265,338
Number of private schools taught within the year.....	2,026
Number of pupils attending private schools within the year.....	49,332

The normal school, authorized by the Legislature of 1865, has been established in the town of Terre Haute, which offered the institution \$50,000 in money, and a suitable building-site. The plan of the trustees contemplates a model primary training-school, a model high-school, and a normal school proper.

The benevolent institutions of the State, comprising asylums for the blind, deaf and dumb, and insane, were reported at the close of the year to be in a satisfactory condition. In 1865 an act was passed authorizing the enlargement of the insane asylum for the reception and cure of the "incurable insane," who have heretofore been supported by their friends or in the county poor-houses. The construction of the buildings has been commenced, but further appropriations will be required for their completion. The State has as yet taken no steps to provide a hospital or other retreat for her volunteer soldiers disabled by wounds or disease contracted in the national service, many of whom are without home or friends. A property in Rush County, known as "Knightstown Springs," has however been purchased by private subscriptions, and devoted to this purpose. It consists of a farm of 54 acres, having buildings of a capacity to accommodate 100 patients. Up to November 30, 1866, 224 men had been admitted into this institution, of whom 134 have been discharged, 14 have died, and 76 remained. The two penitentiaries, the Northern and Southern prisons, are reported to be well managed. About \$150,000 are required to complete the former building. Although the constitution of 1851 directed the establishment of "Houses of Refuge for the Reformation and Correction of



Juvenile Offenders," no attempt has ever been made by the Legislature to carry the provision into effect. "We have no punishment now for the juvenile offender," says Governor Morton, "but the common jail and the penitentiary, neither of which exert a reformatory influence upon the youthful mind; and during my six years' experience as the executive of the State, I have often been constrained to pardon the youthful criminal because I felt that to incarcerate him in the penitentiary would be to consign him to a life of degradation and crime."

An important decision was rendered in the Supreme Court of Indiana in November, relating to that clause of the State Constitution, known as the Thirteenth Article, which prohibits colored men from entering or residing in the State. An act, passed to enforce these provisions, declared all contracts made with negroes or mulattoes who had come into the State subsequent to November 1, 1851, null and void; and also provided that any person who should employ any negro or mulatto, who had come into the State after that date, should be fined from \$10 to \$500, while any negro or mulatto who had or should enter the State should be fined to a like amount. In 1866 a colored man named Smith, who had removed from Ohio to Indiana subsequent to November 1, 1851, sued one Moody, a white man, to enforce payment upon a promissory note. The defendant pleaded that, as Smith was illegally in the State when the note was given, he could bring no action in its courts, and that for the same reason the contract was void. The Supreme Court decided unanimously that the plaintiff was a citizen of the United States, and as such came within the operation of that clause of the National Constitution which guarantees to the citizens of each State all the privileges and immunities of the citizens in the several States. Consequently the law of Indiana depriving persons of African descent, who are citizens of the United States, of these rights, privileges, and immunities was void. This decision, while it does not remove, practically nullifies the Thirteenth Article of the State Constitution. In the so-called "Indiana Conspiracy Cases," the defendants, Lambdin P. Milligan, William A. Bowles, and Stephen H. Hays, who had been convicted by a military commission of conspiracy and sentenced to imprisonment for life, were in April, by order of the United States Supreme Court discharged from custody, on the ground that the commission had no jurisdiction legally to try and sentence them.

No election for governor or lieutenant-governor took place in Indiana in 1866. The State officers to be chosen by the popular vote were a secretary of state, treasurer, auditor, attorney-general, and superintendent of public instruction. The Republican nominating Convention met at Indianapolis on February 22d, and selected the following candidates for these offices: Secretary of State, L. C. Trusler;

Treasurer, General Nathan Kimball; Auditor, L. B. McCurdy; Attorney-General, D. R. Williamson; Superintendent of Public Instruction, F. W. Pass. A resolution was adopted declaring full faith in President Johnson and his cabinet, and the Union members of both houses of Congress; and in the sincere desire and determination of all of them to conduct the affairs of the Government in such a manner as to secure the best interests of the whole people. It concluded as follows: "And we hereby declare that we will sustain them in all constitutional efforts to restore peace, order, and permanent union." Another resolution declared that in Andrew Johnson the convention recognized a patriot true and tried, and that it would support him in all constitutional efforts to restore the national authority, law and order among the people of the States lately in rebellion, on the basis of equal justice to all members; that it pledged to the administration executive and legislative, its united and hearty coöperation, in all ways and prudent measures devised for the security of the Government against rebellion and insurrection, in time to come; and, while indorsing the President, expressed entire confidence in the Union majority in Congress. The convention further

*Resolved*, That it is the province of the legislative branch of the Government to determine the question of reconstruction, and, in the exercise of that power, Congress should have in view the loyalty of the people of those States, and their devotion to the Constitution and obedience to law; and, until the people of those States prove themselves loyal to the Government, they should not be restored to rights enjoyed before the rebellion.

*Resolved*, That no man who voluntarily participated in the rebellion ought to be admitted to a seat in Congress; and, under the Constitution of the United States, the power to determine what qualifications of electors are requisite rests with the States respectively.

*Resolved*, That the union of these States has not, and cannot be dissolved, except by successful revolution.

*Resolved*, That justice and duty demand an equalization of bounties to our national defenders.

The Democratic Convention assembled at Indianapolis on March 15th and made the following nominations: Secretary of State, Gen. M. D. Manson; Treasurer, James Bryon; Auditor, C. G. Badger; Attorney-General, John R. Coffroth; Superintendent of Public Instruction, R. M. Chapman. A series of sixteen resolutions was adopted. The first denied the right of any State to secede from the Union. The second approved of the principles avowed by President Johnson in his annual message for the reconstruction of the Union, and condemned the action of the majority in Congress in keeping States out of the Union. The resolution concluded by indorsing the President's veto of the Freedmen's Bureau bill, promising him the earnest and disinterested support of the Democracy of Indiana. The third declared that the sole power of the Senate and House of Representatives over the admission of members is confined to the election returns and qualifica-



tions of its members respectively; and that Congress in rejecting from representation eleven States, acknowledged to be in the Union by having their votes counted in favor of the constitutional amendment abolishing slavery, usurped powers not delegated to it by the Constitution. The resolution added: "We further believe that all members from the Southern States who have been lately elected and possess the constitutional qualifications, should be immediately admitted, and upon the refusal of Congress to admit the members of such States, to defend and uphold the integrity of every State now in the Union, and to take care that the laws be faithfully executed." The fourth opposed a prohibitory or protective tariff. The fifth declared that taxation and representation should go together; and that property of every description should bear its fair share of taxation. The sixth repudiated the Confederate debt. The seventh thanked the soldiers, and declared that by the action of Congress they should be equally remunerated by an equalization of bounties. The eighth pledged support, regardless of party, to any State or national official who is guided by the principles avowed by the convention. The ninth denounced the act conferring suffrage upon the negroes of the District of Columbia. The tenth opposed the repeal of the constitutional article prohibiting negroes settling in the State. The eleventh encouraged emigration. The twelfth declared that eight hours should be a legal day's work. The thirteenth favored religious toleration. The fourteenth condemned financial and other frauds committed by abolition State and Federal officials. The fifteenth pledged the Democratic party of Indiana to oppose all prohibitory liquor and Sunday laws. The sixteenth denounced the expulsion of Hon. Daniel W. Voorhees from his seat in Congress as a high-handed outrage of a profligate and most unscrupulous party.

On November 6th, a convention of colored citizens of Indiana assembled at Indianapolis to devise measures to obtain the full rights of citizenship. After a four days' session, they adopted a memorial to the Legislature and an address to the voters of the State. The former presented the past record of the race, showing its loyalty to the Government under every circumstance, and asking equality before the law and the elective franchise. An earnest request was made that colored children might be permitted to participate in the benefits of the public schools. The address was an appeal in favor of allowing colored men to vote, on the ground that they already formed a considerable portion of the population of the State, had furnished their full quota as soldiers in the late war, and were tax payers. The document concludes as follows:

We are aware that it is objected that we are too illiterate and ignorant to have a voice in deciding the questions of State and National interest. But while we claim that we are equally as intelligent as thousands of other citizens of the State who do vote,

we hold that virtue and patriotism are more essential qualifications in the voter than intelligence. If we have had virtue and intelligence enough to fight on the right side, certainly we will not vote on the wrong side. We are not asking for a social equality. Social equality does not exist in any country or community. The members of your Legislature do not regard one-half of their constituents their equals socially. Such equality cannot be brought about by legislation, but depends upon culture, and is a matter of taste. Because men go to the polls and vote on equal terms, is no reason that they should associate together, unless they choose to do so.

A convention of the "Grand Army of the Republic," comprising officers and soldiers lately in the national service, met at Indianapolis in the latter part of November. Gen. S. A. Hurlbut was elected Commander-in-Chief of the Order, and a series of resolutions was adopted, pledging the members to crush out active treason, to aid and protect the loyal citizens of the late Confederate States, and to procure appropriate legislation in behalf of maimed soldiers and the widows and orphans of deceased soldiers; urging the adoption, by Congress, of a law for the equalization of bounties, and one compelling citizens to give personal service to the country in time of need, and not by substitute; and recommending to places of honor and profit, soldiers and sailors who have served in the late war.

In the summer the political canvass began to grow very animated. In addition to the State officers, a full delegation of Congressmen and members of the Legislature were required to be elected, and as the issues raised by the reconstruction policy of President Johnson were felt to be of grave import, each party strained every effort to bring out its full vote. Political antagonism not unfrequently brought about violent collisions, as on the occasion of President Johnson's arrival at Indianapolis on the night of September 10th, when much rioting and bloodshed occurred. The State was thoroughly traversed by political speakers, and the questions before the country were discussed by the most able men on either side. The election took place on October 9th, with the following result for Secretary of State:

N. Trusler, Republican.....	169,601
M. D. Manson, Democrat.....	155,390

Majority for Trusler.....	14,202
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The total vote was 325,000, which is 41,715 larger than the vote for Governor in 1864, and only 15,240 less than the enumeration of white male voters. The remaining candidates on the Republican ticket were elected by majorities about equal to that of Trusler. The following is the result for members of Congress:

DIST'S.	Republican.	Democrat.	Majority.
1.....De Bruler.....	15,905	Niblack.....17,255	1,350
2.....Gresham.....	11,678	Kerr*.....13,421	1,743
3.....Hunter.....	13,843	Harrington.....11,153	690
4.....Grover.....	11,052	Holmes*.....11,921	869
5.....Julian.....	13,416	Bundy.....7,188	6,228
6.....Coburn.....	16,719	Lord.....14,245	2,474
7.....Washburne.....	14,871	Claypool.....14,353	518
8.....Orth.....	14,933	Pardue.....14,723	205
9.....Colfax.....	20,221	Tarpie.....18,073	2,148
10.....Williams.....	17,414	Lowry.....16,142	1,272
11.....Shanks.....	18,145	Snow.....15,263	2,877

\* These seats will be contested.



The Legislature elect stands as follows :

	Senate.	House.	Joint ballot.
Republicans.....	30	61	91
Democrats .....	20	39	59
	—	—	—
Rep. maj....	10	22	32

As the Legislature of Indiana meets biennially in the odd years, there was no session in 1866. Governor Morton was absent from the State on account of ill health from November, 1865, until the middle of April, 1866, during which time the Executive chair was filled by Lieutenant-Governor Baker.

**INDIUM.** Complete accounts of the mode of preparation and characteristics of this rare metal have recently been published in England. It was discovered about three years ago by Professor Richter and Inspector Reich, of the Freiburg Mining Academy, by the use of the spectroscope. Thus far, Indium has been found chiefly in the dark, ferruginous blende of the Himmelfahrt mine, near Freiburg. The discoverers originally obtained it from the ore direct, but they eventually ascertained that the larger part of the Indium of the ore passed off into the zinc obtained from it, and they now operate upon the finished product of the smelting works. The proportion of Indium to the Freiburg zinc, varies from 0.008 to 0.0448 per cent. To obtain it, the zinc is first dissolved, all but a small portion, in hydrochloric acid. The presence in the solution of a small quantity of undissolved zinc, determines the formation in it of a spongy metallic mass containing all the Indium, and nearly all the other foreign metals associated with the dissolved zinc, such as lead, iron, arsenic, and cadmium. The spongy mass must now be dissolved in nitric acid, the lead precipitated by sulphuric acid, and afterward the cadmium and arsenic by sulphuretted hydrogen. Indium and iron, are now the only metals remaining in the solution, which is then boiled to drive off sulphuretted hydrogen, and the iron oxidized by means of chlorate of potash, after which the addition of ammonia will precipitate a mixture of peroxide of iron and protoxide of Indium. This precipitate is dissolved in warm dilute acetic acid; and sulphuretted hydrogen will then precipitate nearly pure sulphide of Indium, which may be converted into oxide by dissolving it in hydrochloric acid, and finally reduced to the metallic state by means of hydrogen or of cyanide of potassium. The metal has a specific gravity of 7.11 in the granular state, and 7.277 after hammering. It resembles platinum in color and lustre, and the latter quality is undiminished by exposure to air, or even by the action of boiling water. It is easily fusible, softer and more malleable than lead, and as volatile as magnesium or zinc. In the spectroscope it gives a beautiful blue color—whence its name. Indium forms but one oxide; all its known salts are odorless, and impart a decided blue tinge to the flame of a Bunsen lamp. In its electric properties Indium much resembles cad-

mium, but is more electro-negative. The blue ray of the metal has no corresponding black ray in the solar spectrum. It presents other besides the blue and violet rays, but they may possibly be owing to impurities.

MM. Kerchlar and Schrotter have discovered the metal in a blende at Schönfeld near Schlaggenwalt. M. Schrotter extracts the metal by treating the blende after roasting by sulphuric instead of hydrochloric acid, and precipitates the Indium directly by zinc, fractioning the precipitates; the purification of the metal being rendered easier in consequence of this division.

**IOWA.** The Legislature of Iowa convened at Des Moines, on January 8th, and on the succeeding day was organized by the choice of Republican officers in both branches. Edward Wright was elected Speaker of the House of Representatives. On the 11th William M. Stone, Governor elect, was inducted into office, and delivered his inaugural address, the chief feature of which was a plea in favor of bestowing the elective franchise upon all classes of citizens, regardless of race or complexion. He expressed a qualified approval of the acts of President Johnson, and opposed the admission of the seceded States until they should abandon the theory of State rights recently advocated by them.

The Legislature adjourned on April 2d, after a session of twelve weeks. One of its first acts was to ratify the amendment to the Constitution abolishing slavery. It also adopted several important series of resolutions relating to national affairs, suggested by the failure of Congress and the President to agree upon a reconstruction policy. Of this class was a resolution instructing the Iowa delegation in Congress to use their best efforts to secure the passage of the Freedmen's Bureau bill over the President's veto. Another series of resolutions instructed the Iowa delegation to oppose the admission of the seceded States until they should incorporate into their fundamental laws provisions guaranteeing to all classes of inhabitants equal civil and political rights; to aid in bringing the Confederate leaders to trial and punishment, and in making the test oath perpetual; and to insist that the revolted States be held within the grasp of the war power, if need be, until the negro be elevated by education, and the insurrectionists improved in morals. On the subject of punishment a special resolution was adopted, that Jefferson Davis "is not a proper subject for executive clemency, and that it is the duty of the President of the United States to cause him to be brought to a fair and impartial but speedy trial before the proper tribunal, and, if found guilty of the crime of treason, suffer the penalty provided by law." Another resolution indorsed the action of Congress in passing the act enfranchising the colored citizens of the District of Columbia.

At this session of the Legislature preliminary steps were taken to amend the State constitution by striking out the word "white" wher-



ever it occurs in that instrument, and by substituting the word "persons" for "citizens of the United States," in section 1 of Article III.; and also by adding to section 5 of Article II. the following words:

Nor shall any person who has been, or may hereafter be, guilty of treason against the United States or this State, nor any person who has absconded, or may hereafter abscond, for the purpose of avoiding any military conscription or draft ordered by the authority of the United States or this State, be entitled to the privilege of an elector, or qualified to hold any office under the constitution and laws of this State. In order that the provisions of this section may be effectually enforced, the Legislature may by law prescribe a suitable oath, to be taken under such limitations as it may deem proper, by persons offering to qualify for office or to vote, to the effect that they are not subject to the disabilities of this section.

In accordance with the constitutional provision these amendments were referred to the next Legislature, which meets in January, 1868. Should they be adopted by that body, they will go to the people for ratification at the October election in the same year.

The completion of the railroad system commenced some years ago in Iowa is very essential to the development of the resources of the State, and during 1866 the work on the several lines destined to connect the East and the West was prosecuted with great energy. Council Bluffs, on the Missouri River, opposite Omaha, the starting-point of the Union Pacific road, will probably be the terminus of no fewer than four railroads, the Chicago and Northwestern, the old Mississippi and Missouri River (now the Chicago, Rock Island, and Pacific Railroad), the Burlington and Missouri River, and the Council Bluff and St. Joseph, all of which will probably be in running order in 1868. The three first named traverse the State from east to west; the last directly connects Council Bluffs with the railroad system of Missouri. In August the Des Moines Valley road, connecting the capital of the State with Keokuk, on the Mississippi, was completed, and but a few miles are now wanting to make a complete line of railway between the Atlantic seaboard and Western Nebraska. These roads have received, in aid of their construction, valuable grants of land from Congress, on condition that they should be completed within a specified time. As this was supposed to be difficult, if not impossible, a joint resolution was adopted by the Legislature, at its last session, asking from Congress an extension of time for completing the roads, and permission for the Legislature to control the land. The same Legislature also memorialized Congress in behalf of a land grant in aid of the Iowa Central Railroad, which is intended to connect the railroad systems of Minnesota and Missouri, and thus complete a great chain of roads, extending from the lakes on the north to the Gulf of Mexico, of which the northern terminus will be Superior City, and the southern Galveston, Texas.

From the records in the office of the Superintendent of Public Instruction it appears that

at the close of 1866 the total number of persons in Iowa, between the ages of five and twenty-one, was 348,498; males, 180,197; females, 168,361; number of schools, 5,900; number of teachers, males, 2,673; females, 6,670; average weekly compensation for males \$8.40; for females, \$5.94; average cost of tuition for each pupil per week, 38 cents; aggregate amount paid teachers, \$1,006,623; value of school-houses, \$2,837,757; school-houses, 5,009, of which 382 are brick, 163 stone, 3,766 frame, and 698 log houses; school-houses built during the year, 374; increase over 1865, in attendance at school, 24,234; increase in the number of teachers, 523; increase in the amount paid teachers, \$149,897. The university of Iowa is established at Iowa City, 60 miles west of the Mississippi River, and occupies the building formerly used as the capitol of the Territory; and of the State, until the removal of the capital to Des Moines, and which was erected by the Federal Government, at a cost of \$125,000. The State has been liberal in its material aid, and has added, at a large outlay, two additional structures. The institution is in a flourishing condition, the average attendance during the last year having been over eight hundred, including the normal school. The plan of educating the sexes together in a collegiate institution prevails here. Measures have been taken to dispose of the remaining lands granted to the State for the establishment of a State Agricultural College, and the necessary buildings are to be completed by January 1, 1868. They are erected on a farm of 648 acres, located in Story County, for which the State gave \$10,000. The original amount of land granted by the General Government for university purposes was 240,000 acres. When the grant is converted into available funds, the annual income will be about \$30,000, which is to be an endowment fund, set apart for the sole purpose of teaching.

Iowa is now undergoing a geological survey by C. A. White, State Geologist, assisted by C. Childs and Prof. Hinrichs, of the State University. They have commenced at the southwest corner of the State, and are required to furnish periodical reports of their labors to the public press. Contrary to general expectation, no considerable traces of petroleum have yet been discovered, and Mr. White is of opinion that boring for it will prove a fruitless enterprise.

The elections in Iowa in 1866 were for the purpose of filling the offices of Secretary of State, Auditor, Treasurer, Register of the Land Office, Attorney-General, Reporter and Clerk of the Supreme Court, and also of choosing a delegation of six Congressmen to represent the State in the Fortieth Congress. The Republican State Convention met at Des Moines on June 20th, and nominated the following candidates: For Secretary of State, Colonel Edward Wright; State Treasurer, Major S. E. Rankin; State Auditor, J. A. Elliott; Register of the State Land Office, Colonel C. C. Carpenter; Attor-



ney-General, T. E. Bissell; Reporter of the Supreme Court, E. H. Stiles; Clerk of the Supreme Court, Charles Lindeman. Among the resolutions adopted were the following in reference to the grave political questions before the country:

*Resolved*, That the first and highest duty of our free Government is to secure to all its citizens, regardless of race, religion, or color, equality before the law, equal protection from it, equal responsibility to it; and to all that have proved their loyalty by their acts, an equal voice in making it.

*Resolved*, That the reconstruction of the States lately in rebellion belongs, through their Representatives in Congress, to the people who have subdued the rebellion and preserved the nation, and not to the Executive alone.

*Resolved*, That we heartily approve of the joint resolution lately passed by the Senate and House of Representatives in Congress assembled, proposing to the Legislatures of the several States an additional article by way of amendment to the Federal Constitution; and that we pledge the ratification of that amendment by the Legislature of loyal Iowa.

*Resolved*, That, in the firm and manly adherence of the Union party in Congress to the above principles, we recognize new guaranties of the safety of the nation; and we hereby pledge to Congress our continued and earnest support.

Other resolutions advocated the enforcement of the Monroe doctrine, favored the equalization of bounties to the soldiers, and condemned dishonesty and carelessness in every department of the public service.

On the 28th of June a convention of "Conservative Republicans" assembled at Des Moines, and was called to order by General Benton, the candidate of that party and of the Democrats for Governor at the election of 1865. A preamble and resolutions, reported by a committee of which General Benton was chairman, were then adopted. The preamble recited that the members of the convention, being unable to cooperate with the radical and dominant element of the Republican party in the political measures which it had initiated, had decided to establish a political association to be known as the National Union party. The following are the essential principles on which the new organization was declared to stand:

We hold that the Constitution of the United States is the palladium of our liberty, and that any departure from its requirements by the legislative, executive or judicial departments of the Government is subversive of the fundamental principles of our republican institutions.

Repudiating the Radical doctrine of State rights and secession on the one hand, and centralization of Federal authority on the other, as equally dangerous, and believing that no State can secede, and the war having been prosecuted on our part, as expressly declared by Congress itself, to defend and maintain the supremacy of the Constitution, and to preserve the Union inviolate, with all its dignity and equality and the rights of the States unimpaired. The Federal arms having been victorious, we hold that all the States are still in the Union and entitled to equal rights under the Constitution, and that Congress has no power to exclude a State from the Union, to govern it as a Territory, or to deprive it of representation in the councils of the nation, when its Representatives have been elected and qualified in accordance with the Constitution and laws of the land.

While we fully concede to the Federal Government the power to enforce obedience to the Constitution, and laws enacted in conformity with it, and to punish those who resist its legitimate authority in the several States, we believe that the maintenance inviolate of the rights of the States, and especially of the right of each State to order and control its own domestic institutions, according to its own judgment exclusively, is essential to that balance of power on which the perfection and endurance of our political freedom depends.

We hold that each State has the right to prescribe the qualifications of its electors, and we are opposed to any alterations of the provisions of our State institution on the subject of suffrage.

We cordially indorse the restoration policy of President Johnson as wise, patriotic, constitutional, and in harmony with the loyal sentiment and purposes of the people in the suppression of the rebellion, with the platform upon which he was elected, with the declared policy of the late President Lincoln, the action of Congress, and the pledges given during the war.

We regard the action of Congress in refusing to admit loyal Representatives from States recently in rebellion as unwarranted by the Constitution, and calculated to complicate rather than adjust our national troubles.

The ratification, by the Legislatures of the several States, of the amendment to the Constitution of the United States for the abolition of slavery settles that vexed question and meets our hearty approval.

We are opposed to any further amendments to the Constitution of the United States until all the States are represented in Congress and have a vote in making the same.

The convention then nominated the following candidates for State officers: Secretary of State, Colonel S. G. Van Ananda; Treasurer, General George A. Stone; Auditor, Captain R. W. Cross; Register, S. P. McKennie; Attorney-General, Captain W. Bolinger; Supreme Court Reporter, Captain J. W. Limute; Clerk, Louis Kinzey.

The Democratic Convention met at Des Moines on July 11th, and adopted resolutions reaffirming adherence to Democratic principles, in favor of the policy of President Johnson, and pledging him the support of the Democrats of Iowa; in favor of the immediate admission of the rebellious States, and in favor of union with any body for this purpose; in favor of the taxation of the United States bonds; against a tariff; against the prohibitory liquor law; in favor of the Monroe doctrine; in favor of the Philadelphia Convention; in favor of pensions and bounties to soldiers, and in favor of the late Fenian movement.

After some discussion the convention decided to support the candidates nominated by the Conservative Republicans, with the exception of those for Reporter and Clerk of the Supreme Court, in whose places they substituted the names of T. J. Stoddard and J. F. Gottschalk.

The political canvass was conducted here as elsewhere with great animation, and the election, which took place on October 9th, resulted largely in favor of the Republicans. The following was the vote for Secretary of State:

Wright, Republican.....	91,227
Van Ananda, Dem. and Conserv. Rep....	55,815
Majority for Wright .....	35,412



The total vote, 147,124, was much the largest ever cast in the State, exceeding the vote of 1865, for Governor, 22,257; and that of 1864, for President, 10,533. The remaining candidates on the Republican ticket were elected by majorities about equal to that of Wright. The following was the result of the election for members of Congress:

DIST'S.	Republican.	Democratic.	Rep. maj.
1.....Wilson .....	16,406	Warren.....10,515	.... 5,891
2.....Price.....	16,257	Cook..... 9,220	.... 7,037
3.....Allison.....	15,472	Noble.....10,470	.... 5,002
4.....Loughbridge..	13,475	Mackey.....12,395	.... 6,080
5.....Dodge.....	14,296	Tuttle..... 8,898	.... 4,398
6.....Hubbard .....	10,080	Thompson... 3,958	.... 6,072

The Legislature holds over from 1865, and is largely Republican in both branches. At the session of 1866 Samuel J. Kirkwood was chosen to fill the unexpired term, ending in 1867, of Senator Harlan, who had resigned his seat in the United States Senate to accept the office of Secretary of the Interior. For the term ending in 1873, Senator Harlan was reelected.

ITALY, a kingdom in Southern Europe. King Victor Emmanuel, March 14, 1820, succeeded his father as King of Sardinia, on March 23, 1849; assumed the title of King of Italy on March 17, 1861. Heir-apparent to the throne, Prince Humbert, born March 14, 1844. A new Ministry was appointed on June 20th and 28th, composed as follows: Interior, Baron Bettino Ricasoli, President of the Ministry; Foreign Affairs, Emilio Visconti Venosta; Worship and Justice, Francesco Borgatti; War, Effisio Cugia (August 1866); Finances, Antonio Scialoja; Public Instruction, Domenico Berti; Public Works, Dr. Stefano Jacini; Navy, Agostino Depretis; Commerce, Industry, and Agriculture, Fillippo Cordova. American Minister at Florence, George P. Marsh (appointed 1861); Italian Minister in Washington, Giuseppe Bertinatti (1864). Before the German-Italian War, Italy had an area of 98,064 English square miles, and, according to the census of January 1, 1862, a population of 21,776,953. The treaty of peace concluded with Austria, gave to Italy the whole of Venetia, increasing its area to 118,356 square miles, and its population to 24,263,320. In the budget for the year 1866, the receipts were estimated at 794,094,162 lire (1 lira=19 cents), and the expenditures at 911,116,320 lire. Deficit, 117,022,157. The public debt amounted, on December 31, 1865, to 5,287,582,451 lire (nominal value of capital). The army, in 1866, was 222,321 men on the peace footing, and 494,800 men on the war footing. The number of war-vessels was, in July 1866, 104, armed with 1321 guns. (The number of ironclads was 24, armed with 448 guns.) The official value of the special commerce, in 1864, was as follows:—Imports 835,412,042; exports 405,558,887; transit 60,352,165. The imports of Venice, in 1863, amounted to 49,164,007; and exports to 29,702,859 lire. The movement of shipping (inclusive of coasting vessels), in 1864, was as follows:

	Vessels.	Tonnage.
Entered.....	116,462	8,328,247
Cleared.....	115,445	8,438,017

The merchant navy, in 1864, consisted of 13,223 vessels having an aggregate tonnage of 678,598.

In the Italian Chamber of Deputies, on January 22d, the Minister of Finance, Scialoja, made his financial statement, which confirmed the statement of his predecessor respecting the condition of the public treasury. After the payment of the half-yearly interest on the public debt on the 1st Jan., the balance in the treasury was 70,000,000. By means of the treasury bills in circulation, the balance of the loan of 425 millions of lire, and the proceeds of the sale of the state railways, the public expenses are provided for for the ensuing year, including the payment of the half-yearly interest on the public debt, falling due on the 1st of January, 1867. The minister spoke against loans and other extraordinary expedients, saying that the revenue and expenditure must be balanced by taxes and reduction. The ordinary expenditure for 1866 was 928,000,000 lire. M. Scialoja denied all rumors of an intended reduction of the interest on the public debt. The minister Sella had announced reductions to the amount of 30,000,000, but Signor Scialoja said he would extend them to 55,000,000, 30,000,000, of which would be effected in the war and navy departments. He announced the suppression of the office of sub-prefects and other reforms. The deficit, amounting to 211,000,000, would be covered partly by increasing the existing taxes and partly by creating new ones. He proposed a new classification of the direct taxes, and also that octrois should be applied to flours and oils. He would also maintain the reforms relative to the registration stamp, as proposed by Signor Sella. The deficit would thus be reduced to 80,000,000. He limits the authority of the communes to impose additional centimes on the tax on landed property, and proposes that they should have the power to increase some other taxes, among which are those on doors and windows. The minister also spoke of intended reforms in the system of public accounts, and ultimately demanded that the chamber should prolong the provisional budget for two more months. The latter demand was granted by the Chamber on February 24th, and on April 26th it was again prolonged for three months.

The election of Mazzini to the Chamber of Deputies for Messina gave rise to stormy debates, which, on March 22d, resulted in the annulment of his election by 191 votes against 107, four members abstaining from voting. At a new election, Mazzini was again chosen; but the Chamber of Deputies, on June 18th, once more annulled the election by 146 votes against 45.

A dispatch from General La Marmora, dated January 11th, declared that "the reestablishment of regular relations with Austria could



not be admitted except as a starting-point toward the solution of the Venetian question." The complications between Austria and Prussia naturally led to negotiations by Italy with Prussia for the conclusion of a defensive and offensive alliance. On March 9th, the government gave to its representative in Berlin instructions to sign the alliance with Prussia. On April 29th, General La Marmora issued a circular dispatch stating that while Italy was in a state of perfect quiet and the army on the peace footing, Austria had made threatening armaments in Italy, and had thereby compelled the Italian Government to make the necessary preparations for war. On April 30th, the Chamber of Deputies, by a unanimous vote save one, authorized the government, until the end of July, to meet all the expenses which were necessary for the defence of the country, by extraordinary means. This was supplemented by another resolution (May 9th) authorizing the government, until the end of July, to provide by royal decrees for the defence and safety of the state. The government, besides putting the regular army on the war footing, authorized the enrolment of volunteers and the mobilization of the national guard. The volunteers were placed under the chief command of General Garibaldi, who accepted the command by the following letter:

CAPREERA, May 11th.

M. LE MINISTRE: I accept with true gratitude the dispositions which you have taken and his majesty has sanctioned relative to the volunteer corps. I am thankful to you for the trust you manifest in me in giving me the command; and you will be good enough to express to the king my sentiments. I hope soon to coöperate with our glorious army in accomplishing the destinies of the country. I thank you for your courtesy in making this communication to me—accept, etc.

(Signed)

G. GARIBALDI.

On June 18th, Italy declared war against Austria, and on June 20th, the king issued the following manifesto:

Seven years have already passed since Austria attacked my States because I had supported the common cause of the country in the councils of Europe. I took up the sword to defend my throne, the liberty of my people, the honor of the Italian name, and to fight for the rights of the nation. Victory was in favor of right. The valor of the army, the aid of the volunteers, the concord and wisdom of the people, and the assistance of a magnanimous ally, gained the almost complete independence and liberty of Italy. Supreme reasons, we were obliged to respect, prevented us from at that time accomplishing that just and glorious enterprise. One of the noblest provinces of Italy, united by the desires of the population to my crown, and which its heroic resistance and continual protest against foreign dominion rendered especially dear and sacred to us, remained in the hands of Austria. Though sorrowful at heart, I abstained from troubling Europe, which desired peace. My Government occupied itself with improving the work of interior organization, with opening sources of public prosperity, and with fortifying the country by land and by sea, awaiting a favorable opportunity to accomplish the independence of Venetia. Although waiting was not without danger, nevertheless we understood how to keep shut within our hearts our feelings as Italians, and our just impatience; and

thus were preserved intact the right of the nation and the dignity of the crown and of Parliament, in order that Europe might understand what was due to Italy. Austria suddenly reënforcing her troops upon our frontier, and provoking us by her hostile and threatening attitude, has come to disturb the pacific task of the reorganization of the kingdom. I have replied by again taking up arms, and you have afforded the world the grand sight of hastening with promptitude and enthusiasm into the army to enlist among the volunteers. Nevertheless, when friendly powers endeavored to settle the difficulties by a congress, I gave a last pledge of my feelings to Europe, and hastened to accept the proposal. Austria again refused, this time rejecting negotiations and all agreement, affording thus a fresh proof that if she confides in her strength she does not rely equally upon the goodness of her cause and of her right. You, also, Italians, may trust in your strength, looking with pride upon your valiant army and strong navy; but you may rely still more firmly upon the sacredness of your right, whose triumph is henceforth infallible. We are supported by the judgment of public opinion and by the sympathy of Europe, which knows that Italy, independent and secure in her territory, will become a guaranty for peace and order. Italians, I hand over the government of the state to Prince Carignan, and again take up the eagles of Getta and Marengo, of Palestro and San Martino; I feel that I shall accomplish the vows made at the tomb of my high-minded father; I wish to be once more the first soldier of Italian independence.

(Signed)

VICTOR EMMANUEL.

The king also issued a proclamation to the National Guard, which says:

I leave the regency of the kingdom to the Prince of Carignan to fight anew the final battles for the liberty and independence of Italy. While our forces by land and sea secure the rights of the nation against threats and provocations of Austria, you will keep the nation organized and arranged, in order that it may strengthen her liberties and secure respect for the laws, thus preparing itself worthy for the glorious future which awaits us. It is you who have constituted the nation by your will. Preserve it intact now by discipline and arms.

Citizens, I confidently intrust to you the guardianship of public security and order. I go where the voice of Italy calls.

VICTOR EMMANUEL.

For the progress of military operations, *see* the article GERMAN-ITALIAN WAR. The following are the most important points of the treaty of peace which was concluded on October 3d:

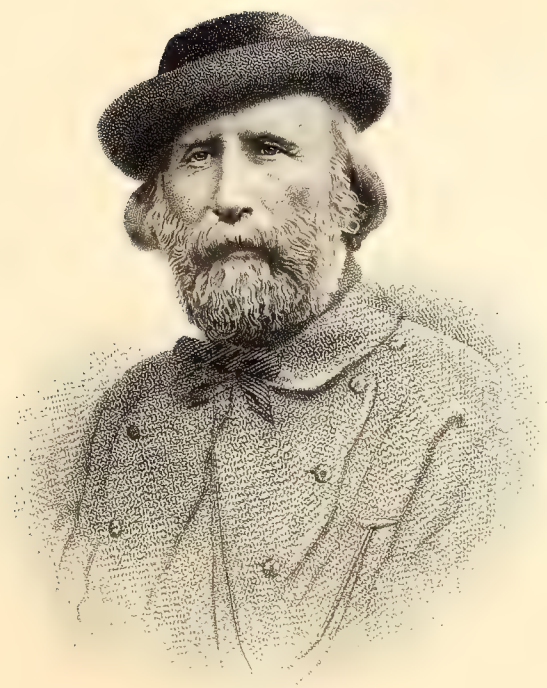
From the day on which the ratifications of the treaty are exchanged perpetual peace and friendship shall exist between his majesty the King of Italy and his majesty the Emperor of Austria, their heirs and successors, their states and subjects.

The conditions stipulated at Cormons for the reciprocal restitution of Austrian and Italian prisoners of war are maintained.

The Emperor of the French having declared in the Treaty of Vienna, on the 24th of August, that so far as he is concerned Venetia is acquired for Italy, his majesty the Emperor of Austria consents to the union of Venetia with Italy in the form determined by the Austro-French Treaty of Vienna above mentioned. The frontiers of the Venetian provinces ceded to Italy are the administrative frontiers of the said provinces under Austrian domination.

A military commission instituted by the high contracting parties will be deputed to trace out the boundary lines with the shortest possible delay. The territories which are still occupied by the imperial and royal troops by virtue of the armistice concluded on the 12th August last, will be evacuated by those troops after the ratification of peace, and the said





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troops will immediately withdraw beyond the frontiers previously established.

The government of his majesty the King of Italy assumes a portion of the debt appertaining to the territories ceded by the present treaty, and which is fixed at 35,000,000 of florins, Austrian convention currency, payable in eleven successive instalments within twenty months, in the manner and form established in the next additional article.

The Monte Lombardo-Venetian, with its assets of 3,500,000 florins, and its liabilities of 60,000,000 florins, passes entirely into the hands of the government of his majesty the King of Italy. The government of the King of Italy succeeds to the rights and engagements resulting from the contracts regularly entered into by the Austrian administration in the interest of the ceded territory.

The Austrian Government is bound to reimburse all the sums paid into the Austrian treasury as deposits of caution money by Lombardo-Venetian subjects, communes, public establishments, and religious corporations.

The Italian government will be bound in like manner with respect to sums paid by Austrian subjects and corporations into the Monte Lombardo-Venetian.

The government of his majesty the King of Italy recognizes and confirms the railway concessions granted by the Austrian government in the ceded territory in all their stipulations and their periods of duration. From the day upon which the ratifications of the present treaty are exchanged, the Italian government assumes all the rights and charges of the Austrian government in respect of the above-mentioned concessions on the railway lines in the ceded territory. Until new and ulterior arrangements are made, the total receipts of the two railway systems north and south of the Alps are admitted for the lines situated in the ceded territory, as the estimate of gross revenue upon which is based the estimate for the kilometric guaranty of thirty miles.

A special convention between the contracting parties, with participation of the railway company interested, without reservation as to time, and leaving full liberty to all parties, will regulate the mode of separating the two railway systems north and south of the Alps.

Lombardo-Venetian subjects domiciled upon the ceded territory will enjoy, during one year, after previous declaration before the competent authority, full and entire liberty to export their movable property free of duty, and to withdraw with their families to the states of his Imperial Royal Apostolic Majesty, in which case they will preserve their Austrian citizenship. They will be at liberty to retain their landed property upon Lombardo-Venetian territory.

The same right will belong to natives of Venetia living in the other provinces of the Austrian empire. Those who avail themselves of these stipulations shall in no way be molested in their persons or their property situated in the respective states on account of their option.

The above period of one year is extended to two years in the case of subjects, natives of the ceded territory, who at the time of the ratification of the present treaty may live out of the territory of the Austrian monarchy. Natives of the ceded territory who are in the Austrian army will immediately be discharged from service and sent to their homes.

It is understood that those among them who declare their wish to remain in the imperial service will not on that account be molested either in their persons or property. The same guaranties are assured to the civil functionaries, natives of the ceded territory, who shall have manifested their intention of continuing in the offices which they hold in the Austrian service.

The regular civil and military pensions chargeable upon the Lombardo-Venetian treasuries remain payable to those entitled to them, and eventually to their

widows and children, and will be paid in future by the Italian government.

The archives containing titles to property, the administrative and judicial documents concerning the ceded territory, and the objects of art appertaining to the same existing among the archives of the Austrian empire, will be handed over to the commissioners of his majesty the King of Italy as soon as possible.

All the treaties and conventions previously concluded between his majesty the King of Italy and his majesty the Emperor of Austria will be confirmed in all that is not annulled by the present treaty. Nevertheless, the two contracting parties engage themselves to submit those treaties and conventions in the course of the year to a general revision, in order to introduce in the same by common accord those modifications which may be considered beneficial in the interest of the two countries. Navigation upon the Lake of Garda is free, subject to the particular regulations of the ports and the littoral police.

A convention to regulate the necessary measures for preventing and repressing contraband trade will be concluded between Austria and Italy within a year from the date upon which the ratifications of the present treaty are exchanged. Meanwhile, the convention concluded on the 22d of November, 1851, between Sardinia and Austria, will remain in force.

The Italian government raises the sequestration upon all the private property of the Italian ex-princes, without prejudice, however, to the rights of the state, and the right of the third portion over the property in question. In order to contribute in the best manner possible to the restoration of peace, his majesty the King of Italy and his majesty the Emperor of Austria declare and promise, both in their respective territories and in the restituted or ceded countries, that no person compromised during the late events in the Peninsula, to whatever class or condition belonging, shall be prosecuted, molested, or disturbed, either personally or in their property, on account of their conduct or their political opinions.

In accordance with the above treaty, a popular vote took place in Venetia in October on the question of annexation to Italy. The result showed a remarkable unanimity, 641,758 votes being cast in favor of, and only sixty-nine against annexation. On November 4th the king, surrounded by the princes, the ministers, the dignitaries of the state, and the president of the Chamber of Deputies, received the Venetian deputation, which communicated to his majesty the result of the *plebiscitum*. After the ceremony the national guard, the troops, and the various corporate bodies defiled before his majesty amid loud cheers from the assembled multitude. General Menabrea delivered a speech to the king on placing in his majesty's hands the iron crown of Lombardy. Upon receiving the result of the *plebiscitum* from the Venetian deputation, King Victor Emmanuel said: "This day is the proudest of my life. Eighteen years ago my father proclaimed from this city the war of independence, and to-day you bring to me the manifestations of the popular will in the Venetian provinces, which, united with Italy, declare my father's wish to be accomplished. You confirm by this solemn act what Venetia did up to 1848, and has maintained up to the present day with admirable constancy and abnegation. I therefore pay a grateful tribute to those generous patriots who



upheld their faith in the destinies of the country by every kind of sacrifice, and by their blood. To-day foreign domination ceases forever. Italy is constituted if not accomplished. Italians must now defend and make her great. The iron crown is also restored to Italy, but to that crown I prefer the one, which is dearer to me, made by the love of my people."

On November 5th a royal decree was issued, declaring that the provinces of Venetia shall henceforth form an integral part of the kingdom of Italy. The government also appointed sixteen senators for Venetia, and ordered the election of deputies.

On December 15th the Italian Parliament was opened by the king, who delivered the following address from the throne:

SIGNORS SENATORS, SIGNORS DEPUTIES: Our country is henceforth free from all foreign domination. It is with profound joy that I declare this to the representatives of 25,000,000 Italians. The nation had faith in me, and I in them. This great event, by crowning our common efforts, gives a fresh impulse to the work of civilization, and renders more stable the political equilibrium of Europe. By her promptitude in military organization, and by the rapid union of her people, Italy has acquired the credit which was necessary to enable her to attain independence by herself; and with the aid of efficacious alliances, Italy has found encouragement and support in this laborious work in the sympathy of civilized governments and peoples, and has been further sustained and strengthened by the courageous perseverance of the Venetian provinces in the common enterprise of national emancipation. The treaty of peace with the empire of Austria, which will be laid before you, will be followed by negotiations which will facilitate exchanges of prisoners between the two states. The French Government, faithful to the obligations which it contracted by the September convention, has withdrawn its troops from Rome. On its side, the Italian Government, observant of its engagements, has respected, and will respect, the Pontifical territory. Our good understanding with the French emperor, to whom we are bound by friendship and gratitude, the moderation of the Romans, the wisdom of the Pontiff, and the religious sentiment and right feeling of the Italian people, will aid us to distinguish and conciliate the Catholic interests; and national aspirations, which are interwoven and contending with each other at Rome, attach to the religion of our ancestors, which is also that of the great majority of Italians. I nevertheless respect the principle of liberty, which breathes through our institutions, and which, broadly and sincerely applied, will remove the causes of the old differences between Church and State. This disposition on our part, by reassuring Catholic conscience, will accomplish, I hope, the wishes which I form, that the Sovereign Pontiff may remain independent at Rome. Italy is secure now that, besides the valor of her sons, which through all the changes of fortune has never belied itself either by land or sea, nor in the ranks of the army or the volunteers, she possesses, as the ramparts of her independence, the very bulwarks which served to oppress her. Italy can therefore, and now ought, to turn her efforts to increasing her prosperity. As Italians have shown admirable concord in the affirmation of their independence, so now let all devote themselves with intelligence, ardor, and indomitable constancy to the development of the economic resources of the peninsula. Several bills will be laid before you with this object. In the midst of the labors of peace, favored by a secure future, we shall not neglect, following the lessons of experience, to perfect our military or-

ganization, in order that with the least possible outlay Italy may not be destitute of the forces necessary to maintain her in the place which belongs to her among great nations. The measures recently taken relative to the administration of the kingdom, and those which will be proposed to you, above all respecting the collection of the taxes and the accountability of the state, will contribute to ameliorate the management of public affairs. My government has provided in advance for the expenditure for the year about to open, and for extraordinary payments of every kind. They will ask of you the continuation in 1867 of the financial measures voted for 1866. The legislative bodies will also maturely discuss the bills which will be laid before them to ameliorate the assessment of the taxes, and to equalize them among the different provinces of the kingdom. If, as I am fully confident, the people of Italy will not fail in that activity which created the wealth and power of our ancestors, it will not be long before the public exchequer will reach its definitive equilibrium, Italy is now rendered to herself. Her responsibility is equal to the power she has acquired, and the full liberty she enjoys in the use of her strength. The great things we have done in a short space of time increase our obligation not to fail in our task, which is to know how to govern ourselves with the vigor required by the social condition of the kingdom and the liberality demanded by our institutions. Liberty in our political institutions, authority in the government, activity in the citizens, and the empire of law upon all and over all, will carry Italy to the height of her destiny, and fulfil what the world expects from her.

One of the main questions to be solved by Parliament was the relation of the state to the church. The government was determined to propose a solution of all the pending difficulties by a complete separation between the church and state. Before the meeting of Parliament on October 22d, the prime minister, Ricasoli, addressed a circular to the prefects, permitting the return of all the bishops to their sees, excluding those residing in Rome. This circular was followed by another, dated November 15th, and likewise addressed to the prefects, in which he said: "The government believes it expedient to withdraw from this moment any reservation made in the first measure, by ordering that all the other bishops still absent from their sees, either from Rome or elsewhere, whatever may be their residence, shall be authorized to return to their respective dioceses. In communicating to your excellency the present resolution of the government, serving as the complement of the measure explained in the circular of the 22d October, the minister refers to the instructions already given in the circular, and it is confident that the local authorities will accurately second all its intentions."

The views of the prime minister, concerning the relations between church and state, were still more fully developed in a letter to the exiled bishops living in Rome.

The bishops, who were exiled from their sees by decree of the Italian Government, and subsequently took up their residence at Rome, addressed a letter to Baron Ricasoli, after the issue of his circular of October 22d. The bishops were under the impression that the permission to return, announced in the ministerial circular,



did not apply to those ecclesiastics residing in Rome, and complained of this exclusion in their letter to the president of the council. The letter of Baron Ricasoli in reply bears date November 26th, and is as follows:

MONSIGNOR: I have only to-day received the letter which you have done me the honor to address to me from Rome, bearing date the 15th instant, on the subject of the recall of the bishops to their sees.

This letter was doubly agreeable to me from the important reasons for which your lordships approve that measure, and in which I am happy to concur with you, and from the request that the permission to return to their dioceses conceded to the bishops by the circular of October 22d, should be also extended to the bishops residing at Rome, thus demonstrating your good-will and reverence toward the institutions and the laws under whose shadow you desire to live.

I rejoice that I anticipated your wishes in this matter, and interpreted your sentiments aright, by deciding on the same day as that on which your letter was dispatched, that the exception complained of should be removed. Of this I believe your lordships will already have had full and official cognizance.

The decision adopted by the government arises, as your lordships state, from the desire that perfect liberty in the relations between church and state should pass from the abstract region of principle in which it had hitherto remained into the reality of fact.

The government, therefore, no less earnestly than your lordships, desires that Italy may very soon enjoy the magnificent and imposing religious spectacle now afforded to the free citizens of the United States of America by the national council of Baltimore, wherein religious doctrines are freely discussed, and whose decisions, approved by the Pope, will be proclaimed and executed in every town and village without exequatur or *placiti*.

I therefore beg your lordships to consider that it is liberty which has produced this admirable spectacle—liberty, professed and respected by all, in principle and in fact, in its amplest application to civil, political, and social life. In the United States every citizen is free to follow the persuasion that he may think best, and to worship the Divinity in the form that may seem to him most appropriate. Side by side with the Catholic church rises the Protestant temple, the Mussulman mosque, the Chinese pagoda. Side by side with the Romish clergy the German consistory and the Methodist assembly exchange their office. This state of things generates neither confusion nor clashing. And why is this? Because no religion asks either special protection or privileges from the state. Each lives, develops, and is followed under the protection of the common law; and the law, equally respected by all, guarantees to all an equal liberty.

The Italian Government wishes to demonstrate as far as possible that it has faith in liberty, and is desirous of applying it to the greatest extent compatible with the interests of public order.

It therefore calls upon the bishops to return to their sees whence they were removed by those very motives of public order. It makes no conditions save the one incumbent upon every citizen who desires to live peaceably—namely, that he should confine himself to his own duty, and observe the laws. The state will insure that he be neither disturbed nor hindered; but let him not demand privileges if he wishes no bonds. The principle of every free state that the law is equal for all admits of no distinction of any kind.

The government would be glad to cast off all suspicion, and abandon every precaution; and if it does not now wholly act up to this wish, it is because the

principle of liberty which it has adopted, and put into practice, is not equally adopted and practised by the clergy.

Let your lordships remark the difference between the condition of the church in America, and the condition of the church in Europe.

In those virgin regions the church is established amid a new society, but which carried with it from the mother country all the elements of civil life. Representing the purest and most sacred of the social elements, the religious feeling which sanctions right and sanctifies duty, and carries human aspirations far above all earthly things, the church has there sought only the empire pleasing to God—the empire of souls. Companion of liberty, the church has grown beneath its shelter, and has found all that sufficed for free development, and the tranquil and fecund exercise of its ministry. It has never sought to deny to others the liberty which it enjoyed, nor to turn to its exclusive advantage the institutions which protected it.

In Europe, on the other hand, the church arose with the decadence of the great empire that had subjugated the earth. It became constituted amid the political and social cataclysms of the barbarous ages, and was compelled to form an organization strong enough to resist the shipwreck of all civilization amid the rising flood of brute force and violence.

But while the world, emerging from the chaos of the middle ages, reëntered the path of progress marked out by God, the church impressed upon all having any relation with it the immobility of the dogma intrusted to its guardianship. It viewed with suspicion the growth of intelligence and multiplication of social forces, and declared itself the enemy of all liberty, denying the first and most incontestable of all, the liberty of conscience.

Hence arose the conflict between the ecclesiastical and civil power, since the former represented subjection and immobility, and the latter liberty and progress.

The conflict, from peculiar circumstances, has greater proportions in Italy, because the church, thinking that a kingdom was necessary to the independent exercise of its spiritual ministry, founded that kingdom in Italy. The ecclesiastical power, from the same reason, is here in contradiction, not only with the civil power, but national right.

From these causes originated the distrust and precaution described in my circular, which provoked your censure, but which were only dictated by necessity.

The bishops cannot be considered among us as simple pastors of souls, since they are, at the same time, the instruments and defenders of a power at variance with the national aspirations. The civil power is, therefore, constrained to impose those measures upon the bishops which are necessary to preserve its rights and those of the nation.

How is it possible to terminate this deplorable and perilous conflict between the two powers—between church and state?

Liberty can alone bring us to that happy state of things which your lordships consider so enviable in America. Let us “render unto Cæsar the things that are Cæsar’s, and unto God the things that are God’s,” and peace between church and state will be troubled no more.

I desired to pay deference to these principles in removing the prohibition to the return of the bishops, and their residence in their sees. I believe that liberty is good in profession and practice, and, further, that it has the virtue of converting those who are called to enjoy its benefits.

I trust that your lordships, returning to your dioceses with the sincere sentiment of respect for the law expressed in your letter, among a people who wish to remain Catholic without relinquishing the rights and aspirations of the nation to which



they belong, will bless that liberty which protects them, and upon which the reconciliation of interests, hitherto appearing irreconcilable, can alone be based. RICASOLI.

On December 7th the following treaty was concluded between France and Italy, concerning the regulation of the Papal debt:

ART. 1. The proportional part belonging to Italy in the perpetual debt, and the redeemable one of the former States of the Church—to wit: For the Romagna at the date of June 30, 1859, and for the Marches, Umbria, and Benevento at the date of September 30, 1860, the epochs of entrance into possession is recognized to amount, for the former to 7,892,985f., and for the latter to 7,337,160f., or together to 15,230,145f.

ART. 2. A sum of 1,468,617f. being already paid annually by the Italian Government to the holders of the stock of the perpetual debt of the said provinces, the new charge falling upon Italy, in virtue of the present convention, on account of the two species indicated in the preceding article is, and remains fixed at, the sum of 13,761,527f.

ART. 3. Italy takes, besides, to her charge the reimbursement of the interest due, calculated from the epochs before indicated, up to the 31st of December. The payment of these sums shall be effected in the following manner: The last three half-years, or 20,642,291f., shall be paid in specie on the 15th of

March next, at latest. For the remainder of the arrears the Italian Government takes to its charge a yearly payment at par of 3,397,627f., which will by so much increase the portion of the redeemable debt falling upon Italy.

ART. 4. The yearly payments indicated in the two preceding articles, and amounting to 18,627,773f., are to remain at the charge of Italy, dating from the first half-year of 1867. The said payments will be made in the same manner as was fixed for the original contracts.

ART. 5. In what concerns the life debt of the former States of the Church, the Italian Government will pay all the pensions regularly settled at the periods of the annexations to the holders belonging to the former Pontifical provinces, and residing in the kingdom of Italy.

ART. 6. The demands for reimbursement which Italy may have to make on the Holy See are reserved, as are reciprocally the claims which the Pontifical Government may have to address to Italy.

ART. 7. The Government of the Emperor of the French will produce, in the shortest delay possible, all the documents that will be necessary for the transfer to the Great Book of the Italian Debt of the inscriptions of the various kinds of *Rente* of which the Holy See is discharged in virtue of the present convention.

ART. 8. The present convention shall be ratified, and the necessary papers exchanged, within a delay of a week, or sooner if possible.

## J

JAFFA, AMERICAN COLONY AT. (See MESIAH, CHURCH OF.)

JAPAN, an empire in Eastern Asia. The name of the Mikado or Spiritual Emperor, who resides at Miaco, in the principality of Kioto, is only known by the Imperial princes. The residence of the Tycoon, or Temporal Regent, is Yeddo. The population is estimated at from 35 to 40 millions of inhabitants.

The Tycoon, Mina Motto, died at Osaca in September, of a disease resembling dropsy, unknown in Europe, but to which Japanese are liable, and which they call *kake*. His death was announced to the country by the following official notification:

Kubosama having fallen sick, and the remedies used having failed of success, he departed this life at Osaka, on the 29th of August, at six o'clock in the morning. All building, and use of musical instruments are therefore to be intromitted. Shotsubashi Chiunagon, who had previously been appointed heir, is from the 29th of August styled Uyesama. This decree having been issued, you will take note thereof, and communicate it to all householders without exception. Given at the Government office, Tobe. In consequence of the intromission thus decreed, the war gates will be shut from six o'clock in the evening, and the side gates will be left open for passengers. The manushi and landlords will patrol day and night. In unoccupied lands, and where there exist no war gates, such are to be provided at once. In all the streets the shop curtains are to be taken down, the shutters on the left and right side to be let down, and perfect order to be kept. In the lands held of the Government, water-buckets, numbers corresponding to the length of frontage, are to be placed before the houses. Bath-houses, medical and ordinary, buck-wheat shops, and other places where business requiring large fires is carried on, must close at six o'clock

in the evening. Fights, quarrels, and other noisy proceedings must be carefully avoided. The above orders having been issued, you are requested to affix your seal in acknowledgment and return the circular after it has gone the round.

Mina Motto was followed in the Tycoonate by Stots-bashi, the son of Prince Nuto, and the head of the Gorogio (Council of State). The new Tycoon, or, as the title now stands, Shoo-goon, was well spoken of as a man of great energy, imbued with liberal views, and the ablest among those families whose members are eligible to the Tycoonate. It was reported that he devoted his time to public business with an amount of intelligence and earnestness seldom if ever exhibited by rulers of Japan. He was to appear at the close of the year before a meeting of the great Damios having territorial rights of their own, and define his proposed policy to them. As he was in favor of faithfully carrying out the stipulations of the treaties with foreign powers, great benefits were expected to be derived from the meeting, and it was thought some definite course of action would be determined upon.

The new Tycoon applied to France for instructors in the reorganization of his army. The French Government agreed to his request, and, by the care of the Minister of War, a military mission was formed, which was directed to proceed to Japan. It is composed of five officers and ten non-commissioned officers, and is placed under the direction of Captain Chanoine, of the staff, who distinguished himself in the Chinese campaign. The other officers are M. Brunet, first lieutenant of artillery in the



Imperial Guard; M. Messelot, sub-lieutenant in the 20th Regiment of Foot-Chasseurs; M. Descharmes, sub-lieutenant in the Empress's Regiment of Dragoons; and M. Dubousquet, holding the same rank in the 31st Regiment of the Line. The members of this military mission embarked at Marseilles in December 1866. Their duty will be to organize the Tycoon's army, both as respects the *matériel* and the persons.

A civil war grew, in August 1866, out of the punishment which the United States, England, and France, conjointly inflicted on the Prince Negato, for his attacks on foreign vessels that passed through the Inland Sea, as the channel between the main island is styled. In the settlement of the case between the Tycoon and the foreigners, an indemnity was exacted from that ruler, who mulcted the Prince, who resisted the claim, and hence the war. Choshu, Prince of Negato, being well provided with foreign implements of war, and having an army drilled on the European model, was enabled to gain many advantages over the Tycoon, who had failed to avail himself of the instruction of foreigners. On August 4th intelligence reached Yokohama from Osaka, to the effect that in three engagements the troops of the Tycoon had prevailed against those of Choshu. The scene of the action was Oshimangoori, in the province of Soowo, one of the two provinces comprising the estate of Mori. The troops engaged on the side of the Tycoon were 5,000 or 6,000 men, under the command of Matsdaira Okino-kami, and some infantry and artillery (about 1,200) drilled in the European style. It appears that Simonosaki was occupied by the Tycoon's troops before the war began. Subsequent advices confirmed this news, and added that the Tycoon's troops occupied Oosima, and Choshu's forces made an attack on the side of the Straits. They were, however, repulsed, but not before they had destroyed several towns. In the operations Choshu lost two ships. The new Tycoon gained important advantages over Choshu, and in December it was reported that the war had been stopped for the present by the Mikado, and that Choshu obeyed the order, declaring that he had never fought against the Mikado, but against a party unjustly opposed to him.

In the latter months of the year the country was suffering from a deficiency in the rice crop, aggravated by the war, which caused that staff of Japanese life to rise in price to nearly three-fold its ordinary value. Considerable discontent prevailed, and many rice riots occurred, in one of which the American minister, General Van Valkenburg, was stoned, and the British Consulate was also attacked with the same missives. No importance, however, was attached to the *émeute* by the General, or the British authorities. The Japanese officials were in nowise accountable for this last attack on foreigners, and the outrage was the work of a few ignorant and hungry people.

According to reports from Japan received in December, the Prince of Satsuma had sent a very large collection of curiosities and specimens of the produce of his province to the World's Fair at Paris. One of the firm of Glover & Co. had left Yokohama for Nangasaki, there to take charge of the prince's younger brothers on an expedition to Europe. Fourteen young Japanese gentlemen, in charge of the Rev. Mr. Lloyd, were to leave Yokohama, also bound to see the Paris Exhibition. Rev. Mr. Brown, American Missionary in Japan, also sent a number of Japanese youth to the United States, to be educated. They expect to remain in this country five or six years, that they may acquire a knowledge of our religion, institutions, arts, sciences, and laws. They are all men of official rank, belonging to the department of Statsuma. Their names are, Captains Shimada and Hisamats, and Lieutenants Chara, Kudo and Yostuda. Three of them are young men, and the other two are men in middle life.

On November 26th a great fire occurred at Yokohama, causing a loss of over \$5,000,000. The town of Yokohama was almost entirely unknown by name to the outside world previous to the negotiations of the treaty between the United States and Japan—after the mission of the late Commodore Perry in 1853—existing only as a scattered commercial and export suburb of the great imperial capital, Jeddo. Since that time it has grown rapidly into notice, and at the moment of the great conflagration it maintained the same relation to Jeddo as the ports of Amoy and Hong-Kong do to the more inland industrial centre of China. Indeed, it may be said that Yokohama was built up for Japan within a dozen years by foreigners, particularly by Americans and English. The town is situated about twenty-three miles south of Jeddo, on the Gulf of Jeddo and the southeast coast of the island of Nippon. The course of trade and communication outward runs from Jeddo to Nangasaki and thence to Yokohama, the travel being reversed, from Yokohama inward, to persons coming from abroad. Its public buildings, temples, parks, and gardens are constructed and ornamented in the usual Japanese style; but considerably modernized by the introduction of improvements from abroad. The population of the city fluctuates to a very great extent, being made up at certain seasons, almost entirely by that portion of the seven hundred thousand citizens of Jeddo who are called down by the demands of trade and finance to meet the hundreds—sometimes thousands of foreigners who make it their temporary residence. It is estimated that the resident population of the town and the adjacent villas does not exceed ninety thousand persons. Yokohama is the residence of the United States and other foreign Consuls to the empire. Its stores and warehouses always contain a heavy stock of very expensive goods, the contents of the principal "shops" being roughly valued quite lately at £600,000, on which insurances to the extent of



£233,000 were effected—£163,000 of which was taken in London, and £70,000 in China. A treaty of commerce and navigation between Italy and Japan was signed on the 25th of August, and was to go into operation on January 1, 1867.

On June 25th the Japanese Government made the following commercial convention with the governments of the United States, Great Britain, France, and Holland:

The representatives of Great Britain, France, the United States of America, and Holland, having received from their respective governments identical instructions for the modification of the tariff of import and export duties, contained in the trade regulations, annexed to the treaties concluded by the aforesaid powers with the Japanese Government in 1858, which modification is provided for by the 7th of those regulations:

And the Japanese Government having given the said representatives, during their visit to Osaka in November, 1865, a written engagement to proceed immediately to the revision of the tariff in question on the general basis of a duty of five per cent. on the value of all articles imported or exported:

And the Government of Japan being desirous of affording a fresh proof of their wish to promote trade and to cement the friendly relations which exist between their country and foreign nations:

His Excellency Midzuno Idzumi no Kami, a member of the Gorojiu and a Minister of Foreign Affairs, had been furnished by the Government of Japan with the necessary powers to conclude with the representatives of the above-named four powers, that is to say: of Great Britain, Sir Harry S. Parkes, Knight Commander of the most honorable Order of the Bath, her Britannic Majesty's envoy extraordinary and minister plenipotentiary in Japan; of France, Monsieur Leon Roches, commander of the Imperial Order of the Legion of Honor, minister plenipotentiary of his Majesty the Emperor of the French in Japan; of the United States of America, A. L. C. Portman, Esq., *chargé d'affaires, ad interim*; and of Holland, Monsieur Dirk de Graeff van Polsbroek, Knight of the Order of the Netherlands Lion, political agent and consul-general of his Majesty the King of the Netherlands. The following convention comprising twelve articles:

ART. 1. The contracting parties declare in the names of their respective governments that they accept, and they hereby do formally accept as binding on the citizens of their respective countries, and on the subjects of their respective sovereigns the tariff hereby established and annexed to the present convention. This tariff is substituted not only for the original tariff attached to the treaties concluded with the above-named four powers, but also for the special convention and arrangements relative to the same tariff which has been entered into at different dates up to this time between the Governments of Great Britain, France, the United States, and Holland on one side, and the Japanese Government on the other. The new tariff shall come into effect in the port of Kanagawa (Yokohama) on the 1st day of July next, and in the ports of Nangasika and Hakodate on the first day of the following month.

ART. 2. The tariff attached to this convention, being incorporated from the date of its signature in the treaties concluded between Japan and the above-named four powers, is subject to revision on the 1st day of July, 1872. Two years, however, after the signing of the present convention any of the contracting parties, on giving six months' notice to the others, may claim a readjustment of the duties on tea and silk on the basis of five per cent. on the average value of those articles during the three years last preceding. On the demand, also, of any of the contracting parties, the duty on timber may be

changed from an *ad valorem* to a specific rate six months after the signature of this convention.

ART. 3. The permit fee, hitherto levied under the sixth regulation attached to the above-named treaties, is hereby abolished. Permits for the lading or shipment of cargo will be required as formerly, but will hereafter be issued free of charge.

ART. 4. On and from the 1st day of July next, at the port of Kanagawa (Yokohama), and on and from the 1st day of October next, at the ports of Nangasaki, and Hakodate, the Japanese Government will be prepared to warehouse imported goods, on the application of the importer or owner, without payment of duty. The Japanese Government will be responsible for the safe custody of the goods, so long as they remain in their charge, and will adopt all the precautions necessary to render them insurable against fire. When the importer or the owner wishes to remove the goods from the warehouse, he must pay the duties fixed by the tariff; but if he should wish to re-export them he may do so without payment of duty. Storage charges will in either case be paid on delivery of the goods. The amount of these charges, together with the regulations necessary for the management of said warehouses, will be established by the common consent of the contracting parties.

ART. 5. All articles of Japanese production may be conveyed from any place in Japan to any of the ports open to foreign trade, free of any tax or transit duty other than the usual tolls, levied equally on all traffic, for the maintenance of roads or navigation.

ART. 6. In conformity with those articles of the treaties concluded between Japan and foreign powers, which stipulate for the circulation of foreign coin at its corresponding weight in native coin of the same description, dollars have hitherto been received at the Japanese custom-house in payment of duties at their weight in boos (commonly called *Itchiboos*), that is to say, at a rate of 311 boos per 100 dollars. The Japanese government being, however, desirous to alter this practice and to abstain from all interference in the exchange of native for foreign coin, and being also anxious to meet the wants both of native and foreign commerce, by securing an adequate issue of native coin, have already determined to enlarge the Japanese mint so as to admit of the Japanese government exchanging into native coin of the same intrinsic value, less only the cost of coinage, at the places named for this purpose, all foreign coin or bullion in gold or silver that may at any time be tendered to them by foreigners or Japanese. It being essential, however, to the execution of this measure, that the various powers with whom Japan has concluded treaties should first consent to modify the stipulations in those treaties which relate to the currency, the Japanese government will at once propose to those powers the adoption of the necessary modification in the said stipulations, and on receiving their concurrence, will be prepared from the 1st of January, 1868, to carry the above measure into effect. The rates to be charged as the cost of coinage shall be determined hereafter, by the common consent of the contracting parties.

ART. 7. In order to put a stop to certain abuses and inconveniences complained of at open ports relative to the transaction of business at the custom-house, the landing and shipping of cargoes, and the hiring of boats, coolies, servants, etc., the contracting parties have agreed that the governor at each open port shall at once enter into negotiations with the foreign consuls, with a view to the establishment, by mutual consent, of such regulations as shall effectually put an end to those abuses and inconveniences, and afford all possible facility and security both to the operations of trade and to the transactions of individuals. It is hereby stipulated, that, in order to protect merchandise from exposure to weather, these regulations shall include the covering in at each port of one or more of the landing places used by foreigners for landing or shipping cargo.



ART. 8. Any Japanese subject shall be free to purchase, either in the open ports of Japan or abroad, every description of sailing or steam vessel intended to carry either passengers or cargo; but ships of war may only be obtained under the authorization of the Japanese Government. All foreign vessels purchased by Japanese subjects shall be registered as Japanese vessels, on payment of a fixed duty of three boos per ton for steamers, and one boo per ton for sailing vessels. The tonnage of each vessel shall be proved by the foreign register of the ship, which shall be exhibited through the consul of the party interested, on the demand of the Japanese authorities, and shall be certified by the consul as authentic.

ART. 9. In conformity with the treaties concluded between Japan and the aforesaid powers and with the special arrangements made by the envoys of the Japanese government, in their note to the British government of the 6th of June, 1862, and in their note to the French government of the 6th of October of the same year, all the restrictions on trade and intercourse between foreigners and Japanese alluded to in the said notes, have been entirely removed, and proclamations to this effect have been published by the government of Japan. The latter, however, do not hesitate to declare that Japanese merchants and traders of all classes are at liberty to trade directly, and without the interference of government officers, with foreign merchants, not only at the open ports of Japan, but also in all foreign countries, on being authorized to leave their country in the manner provided for in Article 10 of the present convention, without being subject to higher taxation by the Japanese government than that levied on the native trading classes of Japan in their ordinary transactions with each other. And they further declare that all Daimios, or persons in the employ of Daimios, are free to visit, on the same condition, any foreign country, as well as all the open ports of Japan, and to trade there with foreigners as they please, without the interference of any Japanese officer, provided always they submit to the existing police regulations and to the payment of the established duties.

ART. 10. All Japanese subjects may ship goods to or from any open port in Japan, or to and from the ports of any foreign power, either in vessels owned by Japanese, or in the vessels of any nation having a treaty with Japan. Furthermore, on being provided with passports through the proper department of the government, in the manner specified in the proclamation of the Japanese government dated the 23d day of May, 1866, all Japanese subjects may travel to any foreign country for purposes of study or trade. They may also accept employment in any capacity on board the vessels of any nation having a treaty with Japan.

ART. 11. The government of Japan will provide all the ports open to foreign trade with such lights, buoys, and beacons as may be necessary to render secure the navigation of the approaches to the said ports.

ART. 12. The undersigned being of opinion that it is unnecessary that this convention should be submitted to their respective governments for ratification before it comes into operation, it will take effect on and from the 1st day of July, 1866. Each of the contracting parties having obtained the approval of his government to this convention shall make known the same to the others, and the communication in writing of this approval shall take the place of a formal exchange of ratifications. In witness whereof the above-named plenipotentiaries have signed the present convention, and have affixed thereto their seals.

Done at Yeddo in the English, French, Dutch, and Japanese languages this 25th day of June, 1866.

Henry S. Parkes, her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary in Japan; Léon Roches, Ministre Plénipotentiaire de S. M. l'Empereur des Français, au Japon; A. L. C. Port-

man, Chargé d'Affaires *a. i.* of the United States, in Japan; De Graeff van Polsbroek, Politick Agent en Consul Generaal der Nederlanden, in Japan; Midzuno Idzumi no Kami.

JAMAICA, ISLAND OF. The occurrences of the latter part of the year 1865—the riot of the blacks at Morant Bay, and the killing of a number of white men by the rioters, followed by the proclamation of martial law by Governor Eyre, and an indiscriminate slaughter of the blacks, awakened such an excitement throughout England, that the British Government was compelled to take steps for an immediate and searching inquiry into the conduct of the Jamaica authorities. Accordingly, a royal commission was appointed, composed of Sir Henry Storks, Governor of Malta, Mr. Russell Gurney, M. P., the Recorder of London, and Mr. J. B. Maule, the Recorder of Leeds, to whom was intrusted the task of conducting the investigation. It was at the same time arranged that, pending the inquiry, Sir Henry Storks should act as Governor of Jamaica, in the stead of Governor Eyre, who was suspended from office. The commission was charged to inquire into the origin of the outbreak of October, 1865, and the circumstances attending its suppression, and at the same time to ascertain, if possible, whether there was any ground for the statement made by Governor Eyre that a disloyal and rebellious spirit existed among the blacks throughout the island. The commissioners arrived in Jamaica in the month of January, and commenced their labors at Spanish Town, on the 25th February; the delay being occasioned by the necessity for a special session of the island Legislature to pass a law compelling the attendance of witnesses to give evidence before the commission. They sat day by day for forty-eight days, during which time they examined several hundreds of witnesses—among them, Governor Eyre, and all the principal civil and military authorities who took an active part in the suppression of the disturbances. On the conclusion of their labors, Messrs. Gurney and Maule returned to England, and shortly after their arrival there, the report of the commissioners, which was quite a lengthy document, was presented to Parliament. From the report it appeared that during the disturbances 439 persons were put to death, either by hanging or shooting, 1,000 cottages of the peasantry burned down by the soldiers, and 600 persons flogged, many of whom were women. The conclusions arrived at by the commissioners were briefly: that the disturbances were owing to a planned resistance to lawful authority; that the causes leading to it were manifold, but principally a desire to obtain land without rent, want of confidence in the legal tribunals in disputes affecting the negroes, personal hostility, and a wish on the part of some of the blacks for the death or expulsion of the whites; that although the original design was conceived in the parish of St. Thomas in the east, it spread with singular rapidity over the island, so that had more than a momentary suc-



cess been obtained by the insurgents, a fearful loss of life and property would have attended their suppression; that praise was due to Governor Eyre for the skill, promptitude, and vigor which he manifested during the early stages of the insurrection, to the exercise of which qualities its speedy termination was in a great measure attributable; that the naval and military operations were prompt and judicious; but that the continuance of martial law was longer than necessary; that the punishment inflicted was excessive; that the punishment of death was unnecessarily frequent; that the floggings were reckless, and in some instances positively barbarous; and that the burning of 1,000 houses was wanton and cruel. Considerable space was given in the report to the case of Mr. G. W. Gordon, and his relations with the leader of the revolt and the other negroes concerned in it, and the opinion of the commissioners is summed up in the following passage:

"Although, therefore, it appears exceedingly probable that Mr. Gordon, by his words and writings, produced a material effect on the minds of Bogle and his followers, and did much to produce that state of excitement and discontent in different parts of the island which rendered the spread of the insurrection exceedingly probable, yet we cannot see in the evidence which has been adduced, any sufficient proof either of his complicity in the outbreak at Morant Bay, or of his having been a party to a general conspiracy against the government. On the assumption that if there was in fact a wide-spread conspiracy, Mr. G. W. Gordon must have been a party to it, the conclusion at which we have arrived in his case is decisive as to the non-existence of such a conspiracy." Mr. Cardwell, the colonial secretary, in his dispatch, acknowledging receipt of the report, expressed the general concurrence of her majesty's government with the conclusions at which the commissioners had arrived, and of Gordon's case especially, said that her majesty's government agreed in the opinion that "the evidence on which he was convicted was wholly insufficient to establish the charge on which he took his trial." The dispatch concluded with the following reference to the position of Mr. Eyre: "It will be evident, from what I have already said, that her majesty's government, while giving to Mr. Eyre full credit for those portions of his conduct to which credit is justly due, are compelled by the result of your inquiry, to disapprove other portions of that conduct. They do not feel, therefore, that they should discharge their duty by advising the crown to replace Mr. Eyre in his former government; and they cannot doubt that by placing the new form of government in new hands, they are taking the course best calculated to allay animosities, to conciliate general confidence, and to establish, on firm and solid grounds, the future welfare of Jamaica." It is but right to state here, that great dissatisfaction was expressed by the English press with the report, which was pro-

nounced to be most unsatisfactory on account of the vague character of the conclusions at which the commissioners had arrived, and the absence of any explicit condemnation of the principal actors in the bloody tragedy by which the lives of so many hundreds of innocent people had been ruthlessly sacrificed, and so much property destroyed.

Shortly after the suppression of the outbreak, and before the English Government had had time to move in the matter, the Legislature was opened by Governor Eyre, with a speech in which, referring to recent events, and to the unsettled state of things on the island, he urged the necessity of remodelling the political constitution of the colony, with a view to the establishment of what he called "a strong government;" in other words, to the investing of the executive with greater power. To this both the House of Assembly and the Legislative Council immediately responded that they were willing and ready to coöperate with his excellency for such an end; and accordingly without loss of time a bill was introduced abolishing the two Chambers, and substituting for them a single legislative body. According to the bill, the new body was to be composed exclusively of nominees of the crown, to hold their seats during the pleasure of the Governor; but the bill was subsequently modified so as to make the single Chamber partly elective; and in this form it passed the House and the Council. The qualifications for an elective seat, as well as the electoral qualifications, under the bill, were fixed at so high a standard, that none but individuals of the planter class would have been eligible for seats in the Chamber, while the whole of the black population would have been at once disfranchised. Before the Governor could give his assent to the bill, however, a dispatch from the colonial secretary was received intimating that her majesty's Government were convinced that the time had arrived for taking the affairs of the colony under their own control; in other words, for governing Jamaica as a crown colony; and the Legislature, making a grace of necessity, at once signified its willingness to agree to such an arrangement. Accordingly a bill was introduced into Parliament for the future government of the colony by the crown, and speedily became a law. Its provisions will be hereafter described. The Jamaica Legislature, previous to its final dissolutions passed several measures of a most oppressive tendency, ostensibly with the view of bringing parties concerned in the late outbreak to justice, but really for the purpose of wreaking vengeance upon the blacks and their friends. Among these measures was one appointing a special commission for the trial of persons charged with political offences, and under this act many individuals, whose known sentiments had made them obnoxious to the planters and the executive were tried for the use of alleged seditious language prior to the outbreak. In two or three instances the prosecutions failed,



but in several others convictions followed, and Mr. Sidney Levien, the editor and proprietor of the *County Union*, a journal published on the north side of the island, was found guilty, and sentenced to twelve months' imprisonment, for certain strictures on the Government which had appeared in his newspaper weeks before the riot at Morant Bay. This gentleman has since been released by the new Governor, one of the first of whose acts was to cause him to be set at liberty.

The British Government having decided upon superseding Mr. Eyre, that gentleman left the island for England on the 24th July, his friends in the colony giving him quite an ovation on his departure. It was at the same time proposed that the sum of one thousand guineas should be raised in Jamaica, and presented to him as a testimonial in acknowledgment of the valuable services which his admirers said he had rendered to the island, in the prompt suppression of the "rebellion"—as the planter party persisted in calling the outbreak. On the 5th of August his successor, Sir John Peter Grant, arrived at Kingston, and was sworn in as Governor on the 7th; and on the 9th Sir Henry Storks, whose brief administration had been marked by the strictest impartiality, and the most sedulous, painstaking attention to the duties of his office, left for England, followed by the good wishes and prayers of the whole colored population.

The new Governor was selected with special reference to the peculiar and trying circumstances in which the colony had been placed. He had some years before been Lieutenant-Governor of the province of Bengal, in which capacity he had displayed remarkable administrative ability, and had honorably distinguished himself for the courage and firmness with which he protected the natives from attempted oppression at the hands of their European masters. It now devolved upon him to inaugurate the new constitution for Jamaica, as the first step toward restoring the affairs of the colony to something like order. That constitution provides that the legislative body shall consist of a council of thirteen members, including the Governor, six of whom are to be government officials of high position, and six non-official, appointed by the Governor. The Governor is to be president of the council, and all measures of legislation must originate with him, or obtain his sanction previous to being brought forward. In the month of November the new council met, for the first time, at Spanish Town, the seat of government, and its proceedings were opened by Sir J. P. Grant, in a business-like speech, remarkable for the out-spoken expression of his opinion that under the then existing system of local laws justice was practically denied to the blacks. The council forthwith proceeded with the work of legislation, and up to the end of the year it had passed several measures for the improvement of the affairs of the colony. Among other reforms,

the old parochial vestries have been abolished, and new boards for the management of local affairs appointed by the Government in their stead. Provision has been made for a stipendiary magistracy, who are to be selected from the English, Scotch, and Irish bars. For purposes of economy a reduction in the number of parishes in the island from twenty-two to fourteen has been determined upon; all lands on which the quit-rents and land-tax have not been paid are to be declared forfeited to the crown; a new police force is forthwith to be organized; and with a view to meeting the deficit in the revenue, the excise tax on rum has been increased. The elective principle having been entirely abrogated in Jamaica, the executive administration of the affairs of the island is now solely in the hands of the Governor, who exercises a direct supervision and control over all the public officers and institutions, and is responsible to the Imperial Government alone for his official acts. So great a change as all this involves, could not possibly be made without creating some discontent. For over two hundred years Jamaica had enjoyed representative institutions, of which she has all of a sudden been deprived. But such is the confidence reposed in the new Governor by the blacks, and such has been the rigid impartiality that has so far marked his rule, that there has not been the slightest disturbance of the public tranquillity from any quarter, and the strongest hopes are entertained that under his judicious administration this old colony will succeed in retrieving its fortunes, and resume its place among the most valuable possessions of the English crown. Where there is complaint as to the new order of things, it is among the planters.

Meanwhile steps have been taken in England to bring to trial the principal actors in the massacre of October, 1865. An association, known as the Jamaica Committee, and including such names in its list of members as John Bright, John Stuart Mill, and Goldwin Smith, has been formed with the view of vindicating humanity and justice. By this body it has been determined to put Mr. Eyre on his trial for having illegally caused George William Gordon to be put to death, and the military and naval officers who took part in the trial and execution of that unfortunate individual are also to be arraigned on the same grounds. For the purposes of the prosecution a large amount of money has been raised by subscription, and the steps preliminary to the trial have been already taken. Public opinion in England is divided as to the criminality of these parties, some insisting that the serious character of the outbreak demanded and justified the bloody measures that were adopted, while others contend that the danger was grossly exaggerated, and that the very extreme proceedings of the ex-Governor and his subordinates were wholly unwarranted. The forthcoming trials, independent of the intrinsic interest of the details they will bring forth, will be of the highest importance



in a national point of view, as involving the ample discussion and judicial settlement of questions affecting the responsibility of colonial governors, and the application of vital principles of English law to the distant dependencies of the empire.

JENKS, WILLIAM, D. D., LL. D., an American Congregational clergyman and author, born at Newton, Mass., November 25, 1778; died in Boston, November 13, 1866. When four years of age he removed with his father's family to Boston, and a few years later was sent to the public Latin school. He graduated at Harvard College in 1797, and soon after devoted himself to the instruction of youth, while pursuing the study of theology. He next accepted the situation of reader, for a few years, in Christ Church, Cambridge, whence he was called to a Congregational parish in Bath, Maine, where he preached with great acceptance for twelve years. His people having suffered pecuniarily by the War of 1812, he accepted the proffered professorship of Oriental and English Literature in Bowdoin College, in addition to his pastoral charge. On returning to Boston in 1818, he opened a private school, but occasionally preached. Soon, the condition of seamen, with respect to attentions of a religious kind, occupied many of his thoughts; and he became the pioneer in efforts for their religious welfare in that city. Under the auspices of the "Society for the Religious and Moral Instruction of the Poor," he opened the first free chapel for seamen, in a building on Central Wharf, and in connection with the same society, a chapel, also free, at the West End. These institutions flourished and have resulted in the establishment of the Mariners' Church and Sailors' Home, and the City Missionary Society; also in the building of the church where Dr. Jenks officiated for twenty-five years. It was during his connection with this parish that he undertook the great labor of his life—the Comprehensive Commentary on the Bible—which attained such a popularity that over 20,000 copies were subscribed for—an unprecedented success, before or since—and which involved the printing of about 120,000 imperial 8vo. volumes. Besides this, he edited other literary works. With each of these more prominent positions of life, and the conscientious performance of the duties they required, Dr. Jenks

connected much zeal and effort in advancing, incidentally, the ends and interests of other institutions for promoting the religious, moral, and intellectual improvement of his fellow-men. He took an active part in the advancement of popular education, and sound learning had in him a hearty advocate. Especially was he interested in the cultivation of the language and literature of the East, and in coöperation with other kindred minds founded the American Oriental Society. He was for many years a valuable member of the Massachusetts Historical Society, and a contributor to its collections. His known interest in the Indians of our country led to his appointment by Massachusetts as a commissioner to persuade those in Maine to renounce hunting for husbandry, and thus become permanent and useful cultivators of the soil. The African, too, found in him a friend whose sympathy in his behalf was active and well known.

JOHNSON, Hon. CAVE, former Postmaster-General of the United States, born in Robertson County, Tennessee, January 11, 1793; died at Clarksville, Tenn., November 23, 1866. He was educated for the law and earned a fair reputation at the bar, holding for several years the office of Circuit Judge. In 1827, he was nominated on the Republican ticket, and by the heavy vote of the negroes of his district, was elected to Congress. He represented his district during the entire term of President Jackson's Administration. In 1838, he was again elected, and by subsequent reëlections remained in Congress until 1845, when he was appointed Postmaster-General in President Polk's Cabinet. At the close of Polk's administration, Mr. Johnson retired to private life, and accepted the presidency of the Bank of Tennessee, which position he filled till 1859. His extreme age prevented him from taking an active part in public affairs during the war; but when his native State was conquered from the South and a new Legislature was organized, Mr. Johnson was elected to the State Senate by the Union party. His feeble health, however, would not permit him to assume the duties of the position. He therefore resigned, and remained quietly at his home in Clarksville. He was a man of industrious habits, of fair attainments, and possessed considerable ability as a statesman.

## K

KANSAS. The Kansas Legislature assembled at Topeka on January 11th, and was organized by the choice of Republican officers in both branches. The most important act passed during the session was one providing for the sale of 500,000 acres received by the State under the act of Congress of 1861, and the appropriation of the proceeds to aid in the construction of the Northern Kansas, the Kansas

and Neosho Valley, and the southern branch of the Union Pacific Railroads. A protest against the passage of this act was entered by the minority, on the ground that it would take from the school fund of the State, lands that had been set aside for their support, and appropriate them for other purposes; and also that a number of members having a direct personal and pecuniary interest in the passage of the act,



voted for it, in defiance of a provision in the State constitution.

The liabilities of the State at the close of 1866 were \$660,896.28, and the resources \$556,714.14, leaving a balance against the treasury to be provided for of \$104,182.14. Claims arising out of the raid of the rebel General Price in 1864 were audited during the year to the amount of \$492,944.83, the settlement of which Governor Crawford recommends shall be provided for by the issue of seven per cent. scrip payable in one, two, and three years. He further recommends the appointment of a board of commissioners to examine the claims presented for adjustment; and that scrip, not exceeding the aggregate amount audited, be issued in accordance with their report.

The number of school districts in Kansas at the close of 1866 was 871, of teachers in public and private schools 1,248, and of pupils in public and private schools 35,789. The Normal School established at Emporia in 1865 is now in full operation with a daily average attendance of nearly one hundred students. The Legislature of 1866 appropriated to its use for that year \$13,000, of which \$10,000 was to be used in the construction of a suitable building. At this institution the tuition is free to those intending to become teachers, and text-books are also furnished by the State for the use of the students. A movement has recently been instituted to establish an Indian College at Ottawa, 25 miles south of Lawrence, where a school for the instruction of the children of the Ottawa tribe has been in successful operation for the past two years. This it is proposed to enlarge to the dimensions of a collegiate institution. A tract of 20,000 acres of land in the Indian Reservation has been set apart for its permanent endowment, and the adjacent village of Ottawa, having a population of twelve hundred, will soon be in railway communication with Lawrence. The college building is partly erected, and the Ottawas, under the guidance of one of their number, Rev. J. T. Jones, show a lively interest in the undertaking.

The immigration into Kansas in 1866 was largely in excess of any previous year, the advancing column being supplied with means, stock, and implements for the establishment of permanent and comfortable homes. The lowest estimate makes the increase of the population by this means amount to 40,000, while others place it at 150,000 and upward. Immigrants enter the State at all points along its eastern boundary and move gradually westward, although probably the greater number establish themselves in the northern tier of counties and along the Republican, Solomon, and Saline Forks of the Kansas River. There is also a prospect that the large and fertile southeastern counties, which border on the Cherokee and Osage reserves, and which have heretofore been rather avoided by immigrants, will soon have a considerable population of farmers. A serious obstacle in the path of immigration into Kan-

sas has been the presence of various Indian tribes on reservations within the State. Rumors of outrages by the Indians, which in the newspaper accounts have swelled into portentous proportions, have not been confirmed by reports from official sources. The Commissioner of Indian Affairs reports that no serious hostilities have occurred during the year between the Indians and whites, although numerous cases of depredations by members of tribes not heretofore treated with, or casual raids by them upon frontier settlements of immigrants have occurred. Between the Rocky Mountains and the Mississippi, he says, peace has been the rule. The removal of the Indians in Kansas to the Indian Territory lying south of the State, has been recommended as well on account of the greater sense of security which will in consequence be experienced by the white population, as of the evil influence which the vices generated by civilization have upon the Indians. In pursuance of this plan, treaties were made during the year with the Cherokees, Choctaws, Chickasaws, Creeks, and Seminoles, holding large tracts in the Indian Territory, in which it is stipulated that friendly Indians from Kansas shall be received into the domains of these tribes, to be incorporated with them, or to maintain distinct tribal organizations, as they may elect. At the close of the year commissioners were engaged in negotiating with the Kansas Indians with reference to their removal from the State.

The railroad system of Kansas, which is destined to develop in a remarkable degree the resources of the State, made very considerable progress in 1866, and at the close of the year upward of 300 miles of track were in running order. Within the borders of the State commence what are commonly known as the Wyandotte and Atchison branches of the Union Pacific Railroad. The former, which is a direct continuation westward of the Union Pacific Railroad of Missouri, was originally intended to run almost due west from Wyandotte, on the west bank of the Missouri River to Fort Riley, and thence turn northward and join the Nebraska branch of the Union Pacific road at Fort Kearney, at or near the 100th degree of longitude. But in the summer of 1866 the company received authority from Congress to designate the general route of the road, without reference to any former act, with the proviso that it should be entitled to no more Government endowment than if the original route had been followed, and that a connection should be made with the Nebraska line within fifty miles of Denver, Colorado. In accordance with this permission, it has been determined to carry the line westward along the Smoky Hill Fork of the Kansas River, and so on to Denver. The chief advantage of continuing due west is the rich trade of New Mexico, for which a branch will be made to Santa Fé. At the close of the year this road was completed to Junc-



tion City, a short distance west of Fort Riley, and 139 miles from Wyandotte. A contract has been made for constructing an additional 240 miles westward, to be completed by January 1, 1868. This will carry the road to within 240 miles of Denver, and insures its completion in two years more. The Atchison branch of the Union Pacific was originally intended to run 100 miles west from Atchison, and there connect with the Wyandotte branch on its way northward to join the Nebraska line. But the change of route effected by the Wyandotte branch leaves the Atchison road practically without a terminus, and it is therefore not unlikely that an effort will be made to carry it up the Republican Fork of the Kansas River, and thence to Fort Kearney, which will be very nearly the route marked out originally for the Wyandotte branch. About 50 miles of this road were completed in 1866. North of the Atchison branch, and parallel with it, for a distance, is the St. Joseph and Pike's Peak Railroad, which is designed to run westward from Elwood, on the Missouri River, opposite St. Joseph (Mo.), and join the Union Pacific. It receives a liberal grant of lands from Congress, but no Government bonds. But a few miles of the road have been completed. Besides these roads, four others have been projected, and will soon be commenced, viz.: the Kansas and Neosho Valley, running south from Wyandotte, or Kansas City, through one of the richest portions of the State, to the Neosho River; the Neosho Valley, running from Fort Riley, *via* Neosho and Arkansas Valleys and Fort Gibson to Fort Smith, Arkansas; the Leavenworth, Lawrence, and Fort Gibson, running from Lawrence southward; and the Leavenworth, Lawrence, and Galveston road, destined to connect Kansas with the Gulf of Mexico, 700 miles distant. The two first named of these roads have received liberal land grants from Congress. The last has a subsidy from the Government of 64,000 acres of land to the mile, and an additional grant from the State of 125,000 acres. In connection with this, aid has been given by the five counties through which it passes, to the amount of \$125,000 each, and application will be made to the Legislature to indorse these county bonds, with a view of securing the completion of the road. In the latter part of 1866 the directors entered into a contract for its commencement, and promises to complete it beyond the southern boundary of Douglas County by midsummer. Within two years it is expected that the cars will run to the southern line of Kansas.

The constant development of the mineral wealth of Kansas places the State among the foremost in the Union. Iron, tin, gypsum, and other precious minerals have already been discovered in large quantities, and the Leavenworth papers report coal of a superior quality has at length been found on the Government reserve in Kansas. The vein was struck at a depth of 580 feet. In addition to the remark-

able discoveries of salt springs announced in our account of Kansas for 1865, others of equal importance have recently been made. Their location is in the extreme southern portion of the State, off the usual great routes of travel, and in a region infested by savage tribes of Indians. The salt covers the ground completely, forming a crust, and can be shovelled up in large quantities. It is fit for use in its original state, being of the very purest character. When cleaned from the surface, leaving the earth bare, it appears again immediately, and in a day or so the saline deposits form a hard crust. These deposits exist in remarkable abundance over a country sixty miles in extent.

The crops of 1866 are reported to be among the heaviest ever known, and statistics show that in the average yield per acre of corn and wheat, Kansas exceeds almost every State in the Union. Sixty to eighty bushels of oats, and thirty-five to forty-five bushels of wheat to the acre were harvested in many parts of the State. The ravages of the grasshoppers, which farmers living west of the Mississippi are always liable to encounter, caused in 1866 comparatively little injury to the crops, which had been generally harvested before their appearance. The north-western part of the State suffered most from them.

The election in Kansas in 1866 was for a Governor, Lieutenant-Governor, Secretary of State, Auditor, Treasurer, Superintendent of Public Instruction, Attorney-General, Chief Justice of the Supreme Court, and Representatives of Congress. The Republican State Convention met at Topeka on September 5th, and nominated S. J. Crawford for reelection as Governor, and the following: For Lieutenant-Governor, Major N. Green; Secretary of State, R. A. Barker; Treasurer, Major Martin Anderson; Attorney-General, George H. Hoyt; Chief Justice, Samuel A. Mergwan. For Congress, Hon. Sidney Clarke was renominated by acclamation. All these candidates were Radical Republicans. The resolutions were strongly radical, and denounced the President and his policy. One of them recommended to the Legislature to submit to the people the question of striking the word "white" from the State constitution.

A State Convention of Democrats, and "all others who are in favor of the principles enunciated in the address and resolutions adopted by the late Philadelphia Convention," was called to meet at Topeka, Kansas, on September 12th, to nominate candidates for Governor and other officers. Meanwhile, however, a "National Union Convention" was summoned to meet at the same place, and for a similar purpose, on the 20th, the call being signed by the State Executive Committee, Hugh Ewing, the delegates to the Philadelphia Convention, and many others. In view of this call, and in accordance with the desire of the Democratic Central Committee, the call for the Democratic Convention at Topeka, on the 12th instant, was



withdrawn. The National Union Convention met on the day appointed, and nominated for Governor, J. L. McDowell; Lieutenant-Governor, James R. McClure; Secretary of State, Colonel McImgy; Auditor, N. E. Goss; Treasurer, Colonel Walker; Attorney-General, Ross Burns; Superintendent of Public Instruction, James H. Bond; Chief Justice, Nelson Cobb; for Congress, General L. W. Blair, of Flescott; all of whom, except Goss and Cobb, were Conservative Republicans. Resolutions were adopted sustaining the reconstruction policy of President Johnson, requiring that none but loyal men should hold places of trust and power in the Government; and, therefore, that Federal officials from Kansas, who slandered the Administration and abused the Government, should be removed, and their places filled by loyal men.

The election took place on November 6th, with the following result for Governor:

Crawford, Republican .....	19,370
McDowell, National Union and Democrat, .....	8,151

Majority for Crawford..... 11,219

Clarke, Republican, for Congress, had a majority over Blair of 11,196. The Legislature, holding over from 1865, is strongly Republican. In consequence of the death of Senator Lane, by suicide, on July 2d, Governor Crawford appointed E. G. Ross a United States Senator, until a successor should be elected by the State Legislature.

KEBLE, REV. JOHN, an English clergyman and poet, born at Fairford, Gloucestershire, April 25, 1792; died at Bournemouth, March 29, 1866. He was the son of Rev. John Keble, Fellow of Corpus Christi College, and for fifty-two years vicar of Coln St. Alwyn's. Having received his early education under the parental roof, young Keble entered Corpus Christi College, where he graduated with first-class honors in classics and mathematics at eighteen years of age. Soon after he was elected Fellow of Oriel College, and in 1813 took from thence his degree of M. A., having gained the Chancellor's prizes for an English Essay on "Translations from the Dead Languages," and for a Latin essay on "A Comparison of Xenophon and Julius Cæsar." In 1815 he was ordained deacon, and the following year priest. About 1823 he accepted a curacy at Fairford, and filled successively those of other small parishes contiguous. In 1825 he accepted the curacy of Hursley, but not long after was called home to Fairford on account of family sickness, where he remained until 1835. From 1831 to 1842, Mr. Keble was professor of poetry at Oxford, and his lectures delivered in Latin attracted large audiences. In 1835 he was presented the vicarage of Hursley, with Otterbourne and Ampfield, near Winchester. Among his publications are "The Christian Year" (1927), which has passed through 92 editions, with a circulation still in vigor. "Lyra Innocentium" (1846); some of the poems in "Lyra Apostolica;" a

pamphlet on the "Admission of Dissenters to Oxford" (1854); "Profane Dealing with Holy Matrimony" (1847); and an article for the *British Critic* "On the Life and Writings of Sir Walter Scott" (1838). Mr. Keble was one of the authors of the "Tracts for the Times," or, as they are usually called, "The Oxford Tracts," and sympathized very strongly with Dr. Pusey in his views, and later with the Ritualists; but his nature was too gentle and loving for bitter or acrimonious controversy. His wife, to whom he was most tenderly attached, and who had been in all respects a sympathizing helpmeet, survived him but two months. Since his death, his numerous friends have initiated the project of erecting a memorial college, in commemoration of his character and labors at Oxford, and £150,000 were subscribed for this purpose in a few weeks.

KENTUCKY. This State enjoyed a greater degree of quiet and prosperity during the year than had been expected. The civil war, as Governor Bramlette remarks in his review of the year (annual message, 1867), had left behind it some evils of a civil as well as of a political character. There was an increase of lawless spirits, and a consequent increase of lawless acts; yet law and order have prevailed in the State far beyond the hopes of the most sanguine. Harmony and friendly feeling have been established for the most part among those classes of citizens who were but recently arrayed against each other on the battle-field. To promote these sentiments, the Governor adopted the policy of granting pardons to soldiers of either army who were charged by indictment in the courts for offences alleged to have been committed by them as soldiers during the war. He states that this policy has been rewarded with the happiest results. The harvests of 1866 were abundant; and all the material interests of the State prospered, notwithstanding the great change in the labor system consequent upon the emancipation of the slaves.

The finances of the State are reported in a satisfactory condition. The indebtedness on December 31, 1866, was \$5,324,651.79. The resources of the sinking fund were estimated at \$8,127,681.01, and there was a balance in the treasury of \$1,864,444.18. Kentucky's claim upon the Federal Government for reimbursement of expenditures during the war has not yet been paid. It shows a balance of \$2,438,347.91 in favor of the State. Every effort has been put forth by the Governor to procure the payment of at least \$500,000 on account, which would enable the State to discharge its outstanding war debt; but thus far without success. The Governor recommends the passage of a general law authorizing the commissioner of the sinking fund to apply, from time to time, any surplus, over estimated expenses, to the purchase of the outstanding bonds of the State.

On January 17, 1866, the Union members of the Legislature, nearly every representative of the Union party being present, met and adopted



resolutions expressive of their opinions on the questions of the day. The following are among the most important of the series :

*Resolved*, That while we deem it right and essential to the national unity to sustain the Government of the United States in the exercise of all its just powers, we deem it no less essential to the liberties of the people to preserve the well-conceived balances of power as defined in the organic law of the land, and to protest against every encroachment upon the reserved rights of the States, among the most important of which is the right of each State to determine the qualifications of voters.

*Resolved*, That the Congress of the United States has no power, under the second section of the thirteenth amendment to the Constitution of the United States, to pass any law granting the right of suffrage in the States to persons of African descent, and that we are opposed to granting suffrage to persons of that class by the State.

*Resolved*, That it is the duty of the Legislature, now in session, to enact such laws, adapted to the changed condition of those recently held in slavery, and made free by the late amendment to the Constitution, as may secure to them full protection in all their rights of person and property, and thus remove all need for Federal interposition in their behalf, either through the Freedmen's Bureau or otherwise; and having full confidence that the people of Kentucky will see to it that such laws are enacted, we therefore respectfully request the President of the United States to remove the Freedmen's Bureau from this State.

The Freedmen's Bureau question excited great interest throughout the State. Governor Bramlette, in an official letter to Hon. Speed S. Gordon, city judge of Lexington, Ky., who had become involved in a conflict of jurisdiction with Mr. Pinkerton, agent of the bureau at that place, expressed his views upon the subject without reserve. He advised that the power assumed by the agents of the bureau should be firmly met and resisted in every legal form. He declared that the institution was totally unnecessary, that "the whole negro population being now free, are, by our laws, as they exist, secured and protected in their rights of life, liberty and property." He also said: "Our race, who have built up and maintained this Government, must and will hold it as an inheritance for their children; though it shall become necessary, in so doing, to sacrifice the negro race, and all those who, like mistletoe, fasten themselves upon the negro. Negrophilists and negrophobists have kept up a warfare upon the peace and security of our people until patience has well-nigh ceased to be a virtue."

Early in February, the Kentucky Senate appointed a committee to correspond with General Palmer, and demand of him the evidence upon which he stated that outrages had been, and were being committed upon the freedmen by persons hostile to the objects of the bureau. General Palmer responded to the demand by a letter, in which he said that he was compelled by a sense of what was due to the Government of the United States, as well as to himself, to decline all intercourse or communication with the committee. He recognized that the Kentucky Senate had duties to perform,

and that he had his; and he would leave it to the loyal and patriotic people of the State to decide whether a body which offensively declared its disbelief of the truth of the statements of a public officer, and then demanded the evidence upon which those statements were made, intended to insult him, and excite popular prejudices against the Government that he represented, or were influenced by any purpose to promote the public good. While he refused to give information to the committee, he would feel a pleasure in laying before them as private gentlemen and citizens the numerous letters and official reports upon which his statements had been based. After some discussion the committee were discharged.

The President's veto of the Freedmen's Bureau bill was highly gratifying to those who sympathized with him. A mass meeting of the citizens of Louisville was held on the night of February 22d, to approve the action of the President. Governor Bramlette presided, and made a speech highly eulogistic of the President. Resolutions were adopted sustaining the veto, and essentially the same in other respects with those passed at the January convention. The meeting expressed its disposition toward the freedman in the following language:

*Resolved*, That the right to fix the legal status of the inhabitants of a State belongs, of right, to the State in which they reside; that there is no hostility to the freedman in Kentucky; no purpose to do him injustice; but, on the contrary, a disposition to treat him with kindness and forbearance in a condition not of his seeking; and that humanity to the black race, as well as justice to the white, forbids any Federal interference. We therefore respectfully request the President to remove the Freedmen's Bureau from this State.

Early in April the Kentucky Union soldiers held a State convention in Louisville, at which they adopted resolutions condemning the "efforts of politicians to organize a party upon the basis of an extinct rebellion," avowing their belief that those whom they "found gallant enemies in war" were "sincere in their professions of future loyalty," "and warning them against the arts of these stay-at-home rebels, who, having used them in battling against our Government, would now employ them to accomplish their own selfish purposes." A portion of one of the resolutions covered an approval of President Johnson's policy of restoration. This excited considerable discussion, and was at length stricken out. The following were subsequently adopted:

*Resolved*, That in the late war we fought for the laws, the Constitution, and the Union, and we consider that fighting as one of the proudest, best, and most glorious acts of our lives; we hold ourselves now, and at all times, ready to fight for the same cause as long as strength endures and life lasts.

*Resolved*, That this convention does not desire to be understood, by any action it has or may take in rejecting political questions, as approving or disapproving said questions, but only as ignoring them as foreign to the objects of this convention, and destructive of the noble purposes of our association.



The Democratic State Convention assembled in May at Louisville. Ex-Governor Merriwether presided. Resolutions were adopted, declaring:

That the Federal Government is one of limited and restricted powers.

That the exercise of any power by the Federal Government not delegated to it by the Constitution is a usurpation to deprive the people of their liberties.

That Congress has no right to deprive any State of representation in Congress.

That the Federal Government has not the right to abridge the freedom of speech or of the press, and that their suppression is the destruction of every principle of constitutional liberty.

That the Federal Government has no right to try civilians by military commissions and drumhead courts-martial.

That the question of suffrage belongs exclusively to the States.

That we recognize the abolition of slavery as an accomplished fact, but earnestly assert that Kentucky has the right to regulate the political status of the negroes within her territory.

That the writ of *habeas corpus* should have been fully restored as soon as the war was ended.

That we earnestly request the Government to practise the most rigid economy and prosecute those who have been guilty of fraud, corruption, and embezzlement.

That large standing armies are not to be tolerated in times of peace.

That the thanks of the country are due to President Johnson for the vetoes of the Freedmen's Bureau and Civil Rights Bills.

That our Senators and a majority of our Representatives in Congress have acted satisfactorily to the people, and merit our thanks.

Another important convention was held in Louisville on the 30th of May. It was called by representatives of many of the counties, for the purpose of promoting the "restoration of good government and the preservation of a constitutional Union." At this convention resolutions were passed substantially similar to those heretofore recited.

During the year there were several instances of the infliction of "Lynch law" in the State. The persons who were the subjects of these lawless outrages were said to have been notorious criminals; and the men composing the mobs, for the most part of good repute, and law-abiding in the ordinary relations of life. The most remarkable example of Lynch law was that which occurred in the month of November near Lebanon, a brief account of which is given by Lieutenant King, United States Army, who was cognizant of the facts, as follows:

LEBANON, KY., November 25, 1866.

To Brevet Lieut.-Colonel W. F. Drum, A. A. A. G. Military Division of Kentucky, Louisville, Ky.:

COLONEL: I have the honor to report, for the information of the general commanding, that the threatened raid on the jail at this place was made and successfully carried out last night. A party, numbering from one hundred to one hundred and fifty, from the neighboring towns of Perryville, Springfield, Haysville, and Maxville (with some of the young men of this town), dismounted near the edge of the town, and in small squads quietly took up position near the jail until the entire party were at and around the jail. About forty or fifty men were stationed on the corners of the streets, a half-square above the court-house, where my men are quartered,

acting as pickets, who detained any and all citizens that might pass, until their designs were accomplished. In less than three minutes after the attack was made, the detachment was in line in the court-house yard. I was well satisfied that I would not be called on by the civil authorities, but took this precaution in case that I should be. The town marshal came to the court-house, where the detachment was standing under arms, and while the attack on the jail was being made, but did not call on me for assistance or say a word about protecting the jail.

Three men, named Crowdus, Stephens, and Goode, were taken out of jail and carried about one mile from the court-house, and hung by the mob to the limb of a tree beside the road. I notified and cautioned the civil authorities every day during the past week, as I had heard the rumor ten days ago, and was confident that if not prevented the men would be hung. The civil authorities all knew of the threatened attack, and also knew several of the ringleaders of the mob. Some seventy-five or eighty men started for this place last Wednesday night—the night first set to carry their threat of hanging three men into execution; but they were met by parties from town, who were under the impression that I had orders to protect the jail. This report turned them back, else they would have taken the men out on that night, and hung them.

Last Wednesday night I visited the county attorney in company with Mr. J. M. Fidler, and notified him of the anticipated attack on the jail that night, and also informed him of the telegraphic instructions that I had received from the general commanding regarding it.

He coolly informed me that he did not think that the civil authorities would call on me, and that "the men deserved hanging." He advised me not to go near the jail with my men, "as there might be a row, and some good citizens hurt."

I talked with the jailer every day during the past week in regard to the threatened attack on the jail, and was so satisfied in my own mind that the attack would be made, that I offered to send a guard to the jail, and protect it; but he declined my offer, saying that he would notify me in time should an attack be made. The civil authorities were all notified, and were well acquainted with all the facts. They could have prevented the mobbing of the jail and the hanging of three men, as it was generally understood and known, that had I been called upon in time by the civil authorities to protect the jail, the attack would have been abandoned.

I have no doubt, that, had I been called upon by the civil authorities during the attack upon the jail, I should have had a serious fight, as a majority of the men were armed with double-barrelled guns and with revolvers, and were determined to take these men at all hazards. Considerable excitement prevailed in the morning, when the news of the hanging was circulated; but not a single citizen said a word in opposition to the action of the mob, but exulted over and sustained it.

Very respectfully, your obedient servant,  
J. R. KING,

2d Lieut. U. S. Infantry, commanding detachment.

These outrages were chiefly confined to Marion, Boyle, and the adjoining counties. There the sway of the mob was almost undisputed. In the language of Gov. Bramlette, who sent to the Legislature a special message on the subject, "Jails are forced by them, and their victims ruthlessly torn from legal custody and murdered. Those standing on bail, who are obnoxious to their murderous wrath, are dragged from their homes and executed. \* \* \* Within the last few days, during the session of the Boyle Circuit Court, these murderers took



from the jail of that county a man there confined to answer an indictment, and hung him to death within the limits of the town." The Governor also mentions instances where the dwelling-house of an aged and exemplary citizen was burned because his son had resisted their authority, and made a successful defence against the party sent to arrest him; and a gallant soldier was notified to leave the county because he expressed a determination to stand by and defend a younger brother who had been ordered to leave under penalty of death. The Governor concludes with the following recommendations:

Under the existing laws no reward can be offered for the apprehension and conviction of these criminals, except upon "the petition" of the circuit or county judge of the county in which the crimes were committed. No such application has been made. As I cannot suppose that the judges sanction or connive at this criminality, the conviction is enforced that the fear of personal danger restrains them from applying for rewards. The laws should be so amended as to meet this state of the case, and authorize the offering of rewards in such cases without awaiting the petition of the judge. A fear of personal danger restrains the judge from acting, and thus an apparent sanction is given of this form of crime.

Society will be disorganized and civil government overborne in those communities where mob-law prevails, unless some speedy and effective remedy be provided. Ample rewards should be authorized for the apprehension and conviction of these lawless men; and power given the executive and civil authorities to pursue and hunt down to condign punishment these terrible offenders against government and law. The responsibility of making provision by law to meet this evil is with you; my duty to call your attention thereto is now performed.

The same lawless spirit manifested itself in daring robberies of railroad trains. These were committed under circumstances of the greatest atrocity. Early in October, one dark night, a gang of robbers removed a rail from the Louisville and Nashville Railroad near Bowling Green, and piled up some loose rails on the track for the purpose of throwing off the "pay train," and plundering it in the tumult and excitement which would ensue. The plan was successful. The engine and "pay car" were thrown off the track, and the conductor seriously injured. Fortunately no person in the train was killed. As soon as the locomotive rolled down the bank, the gang rushed up to the train; and a portion of them entered the cars, and searched and robbed the passengers, who offered no resistance, while the others watched outside. The safe was robbed of its contents, amounting to between \$12,000 and \$15,000. In November a larger gang in the same manner threw a train on the same railroad off the track near Franklin. No one was injured, but the passengers were robbed of their watches and other valuables. The express car took fire, and the plunderers did not succeed in extricating the safe which it contained, and thereby lost the prize for which they had committed the crime. Six of the gang were afterward arrested, and sent to Franklin for trial by the civil authorities.

An organization known as "Skaag's men," rendered itself notorious during the fall by attacks upon colored citizens residing in Marion County. These outrages being reported to General Davis, commanding the Military District of Kentucky, he appointed a commission to investigate and report upon them. The commission reported that one branch of the organization consisted of between twenty-five and forty mounted men, and gave the names of ten of their number. These were guilty of assaults upon the persons and property of colored people in and near Lebanon, Ky., on the night of October 19th, when about twenty houses occupied by that class of the population were broken into, robbed, and greatly injured. The roofs and chimneys were torn down in several cases, and the occupants driven out and abused, though none of them were killed or wounded. The whole gang was reported to number one hundred and twenty men, a majority of them fully armed and mounted, and summoned together by regular cavalry bugle calls. The captain was known as "Skaags" (an assumed name). The effect of these attacks was to drive away colored inhabitants from that region. The commission recommended that the detachment of United States troops stationed at Lebanon be increased, in order to secure proper protection for freedmen in that neighborhood. This was done, and the outrages soon afterward ceased.

One of the most disturbing questions of the year was that involved in the proposed constitutional amendment. Governor Bramlette in his annual message (January, 1867) argued the subject at length, and opposed any change in the Constitution, in strong and unequivocal language. He said:

The just balance of powers between the State and National Governments is sought to be destroyed, and the centralization of powers to be established in the Federal Government, through amendments to the Constitution, which, if successful, will destroy those rights reserved to the States and people, and which are essential to the preservation of free government.

In the language of my inaugural address: "A departure from constitutional faith is the foundation of all the evils now upon us; a return is the only permanent remedy."

Kentucky has ever kept this faith. She has given her blood to maintain and enforce the obligations of the Constitution upon her own people of the Southern States; and will not now falter in demanding and exacting a like obedience from others by all appropriate means at her command. We cannot consent to the overthrow and destruction of our government in the hour of its triumph. The constitutional unity of the States, and the rightful obligations it imposes, have been successfully asserted and vindicated by the valor and blood of our sons; and we will not now consent to the destruction of States whose stars gem our national flag, and whose people are our people, whatever may have been their past errors. True allegiance—now—is the only proper test of loyalty to the existing government. Let this test be applied, admit or exclude whom it may.

To make the support of a proposed change in the forms of government the test of loyalty to the existing constitutional government, is far more iniquitous and unjust than to make the past disloyalty a per-



petual test. The former abases and destroys manhood—the latter denies repentance and reform.

Action was promptly taken upon the question in the Kentucky Legislature, and the constitutional amendment was defeated in the House by a vote of 62 to 26, and in the Senate by a vote of 24 to 7.

**KILE, MILTON.** This eminent young physician was born in Zenas, Indiana, May 20, 1842; died at Vermillion, Illinois, August 4, 1866. He studied medicine in St. Louis, Mo., and graduated there with the highest honors of his class in 1863. At the outbreak of the war Dr. Kile, being imbued with a strong Union sentiment, was appointed surgeon. During his term of service he held many responsible and honorable positions. For six months he was assistant medical director in charge of the United States Hospital at Helena, Ark. In 1864, after winning many commendations, and against the remonstrances of his superior officers, he resigned his commission in order to forward his medical education in New York City. He was an ardent student of medicine, strong in his convictions, and skilful in practice. Though young in years, he had the experience of an old practitioner. Dr. Kile was a genuine type of the youthful American surgeon, careful yet bold in his operations. His generous and amiable character endeared him to all who knew him.

**KNIGHT-BRUCE, Sir JAMES LEWIS, D. C. L.,** late Lord Chief Justice of the Court of Appeals, born at Barnstaple, February 15, 1791, died in Surrey, Eng., November 7, 1866. At an early age he was sent to King Edward's Grammar School

at Bath, and upon his father's death, in 1799, was removed to the King's School, Sherborne; studied law in London, and in 1817 was admitted to the bar of Lincoln's Inn. After some practice he exchanged the Common Law for the Equity Bar, where his talents soon secured a large practice. In 1829 he was appointed King's Counsel, and in 1831 was elected to Parliament for Bishop's Castle—a borough which was disfranchised at the passing of the Reform Bill, in 1832. In 1834 he received the degree of D. C. L. from the University of Oxford. A Conservative in politics, he was one of the speakers against the Reform Act in 1835; and in 1837 closed his parliamentary career by an unsuccessful struggle for the representation of the borough of Cambridge. In this year he assumed by royal license the surname of Bruce. In 1842 he was made Vice-Chancellor, and a member of the Judicial Committee of the Privy Council and of the Final Court of Appeal from the Courts of India and the Colonies, and from the ecclesiastical and admiralty jurisdictions of Great Britain. In 1852 he became senior Lord Justice, a position which he only resigned a fortnight previous to his death. His profound legal knowledge, indefatigable energy and capacity for work, his strictly lucid and terse style of language, the vein of dry and often sarcastic humor which pervaded his decisions, and his dignified and courteous bearing, rendered him every way qualified for the important positions he held, while his public and private virtues gave him a strong hold upon the respect and affection of the profession at large.

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**LANE, Hon. EBENEZER,** formerly Chief Justice of the Supreme Court of Ohio, born in Northampton, Mass., September 17, 1793; died in Sandusky, Ohio, June 13, 1866. He was fitted for college at Leicester Academy; graduated at Harvard College in 1811, and immediately after entered upon the study of law in the office of his uncle, Matthew Griswold, of Lyme, Conn. In 1814 he was admitted to the bar, and after practising three years in Connecticut, travelled westward, crossing the Alleghanies on foot, and settled in Norwalk, Huron Co., Ohio. In 1824 he was appointed to the bench of the Court of Common Pleas, and afterward Judge of the Supreme Court of Ohio, which office he held about twenty years—being made Chief Justice in 1837. After his retirement from the bench in 1845, he was engaged in the practice of law, and in various relations with the Western railways, until March, 1859, when he withdrew from active employment, and after a visit to Europe, returned to Sandusky, where he passed the remainder of his life.

**LANE, Hon. JAMES HENRY,** a United States senator, born in Lawrenceburg, Indiana, June

22, 1814; died from the effects of wounds inflicted by his own hand while in a fit of temporary insanity, near Leavenworth, Kansas, July 11, 1866. On reaching his majority he was elected to the city council of Lawrenceburg, and frequently reelected. In a subordinate capacity he took part in the war with Mexico. In 1849 he was chosen governor of Indiana and was a representative in Congress from that state from 1853 to 1855. Subsequently he settled in Kansas and took an active part in politics; was president of the Topeka Constitutional Convention, and was appointed major-general of the free state troops. In 1857 he was president of the Leavenworth Constitutional Convention, and again chosen major-general of the territorial troops. On the admission of Kansas into the Union he was chosen a Senator in Congress, serving on the Committees on Indian Affairs and Agriculture, and was reelected for the term ending in 1871, serving as Chairman of the Committee on Agriculture, and a member of that on Territories. At the opening of the rebellion, President Lincoln appointed him a Brigadier-General, and he ren-



dered good service with his Kansas troops in Western Missouri. He was a politician of positive ideas; and, although disposed to be more tolerant towards the administration than some congressmen, he voted for the Civil Rights bill after the veto. He had been suffering from nervous disease: and on his way home from Washington he was attacked with paralysis in St. Louis, with so little prospect of recovery that reason became unsettled, and he put an end to his life.

LATHROP, JOHN H., LL. D., President of the University of the State of Missouri, born at Sherburne, Chenango County, New York, January 22, 1799; died at Columbia, Mo., August 2, 1866. He studied two years in Hamilton College, Clinton, N. Y., and entered Yale College during the third term of the Sophomore year. After his graduation he was preceptor of the grammar-school at Farmington, Conn., and of Monroe Academy at Weston, Conn., and from 1822 to 1826 was tutor in Yale College. While in the discharge of his duties as tutor he pursued his legal studies in the law school at New Haven, then under the charge of Judges Daggett and Hitchcock, and was admitted to the bar of Connecticut in 1826. He commenced the practice of law at Middletown, Conn., but had remained there only six months, when he was employed as an instructor in the Military Academy at Norwich, Vt., and was connected with that institution during the summer of 1827. He was then chosen principal of the Gardiner Lyceum, a scientific school on the Kennebec, Maine, and remained there nearly two years. In 1829, he accepted the professorship of Mathematics and Natural Philosophy in Hamilton College; and in 1835 was transferred from that to the Maynard Professorship of Law, History, Civil Polity and Political Economy, in the same College. In 1840 he was elected President of the University of the State of Missouri, at Columbia; he entered on the duties of that office in March, 1841, and discharged them until September, 1849. In October, 1848, he was elected Chancellor of the University of Wisconsin, an appointment which he accepted, and entered on its duties in October, 1849. In 1859 he was elected President of the Indiana State University, located at Bloomington, Indiana; and held that position till 1860, when he was chosen Professor of English Literature in the University of Columbia, Missouri; in 1862 he was made Chairman of the Faculty, and in 1865 President, which position he held at the time of his death. In 1845, while President of the Missouri University, he received the degree of LL. D. from Hamilton College. In 1851 he was a member of the Board of Examiners at West Point, and was chosen Secretary of the Board. Dr. Lathrop was a man of exalted character and sterling worth, and was justly considered as among the ripest scholars and most profound thinkers of the country. He was eminently fitted both by nature and culture for the high and re-

sponsible position he held as an educator of youth.

LIPPE, a principality in Northern Germany. Prince Leopold, born in 1821, succeeded his father in 1851. Area, 445 square miles; population, in 1864, 111,336. The capital, Detmold, has 5,308 inhabitants. The public revenue, in 1864, amounted to 273,909 thalers, and the expenditures to 242,786 thalers surplus, revenue, 31,123. Public debt, in 1864, 369,055 thalers. The army consists of 840 men, and 240 reserves. During the German-Italian war Lippe sided with Prussia, and after the war joined the North German Confederation.

LITERATURE AND LITERARY PROGRESS IN 1866. The same causes which tended to limit the production of books in 1865, viz: the high price of paper, the increased cost of labor, and the heavy tax on the manufacture, existed in still greater force in 1866; and there were added to them, a general depression of trade, and a flooding of the market with English and Canadian books, which, owing to the lower price of material and work, could be afforded much below the cost of their manufacture in the United States. Though the number of different works published was not materially diminished by these causes, the editions sold were much smaller than in the previous year, and, with some exceptions, it proved a very unsatisfactory year to publishers.

The number of distinct publications, aside from occasional pamphlets, reports, circulars, catalogues, sermons, and official Government, State, or municipal documents, as well as English and German works, of which very many were imported in editions with an American imprint, was 1905, an increase of 103 on the number published in 1865. Of these 83 were biographies, of which 18 were collective, 61 individual, and 4 genealogical works. In history there were 124 works, of which 7 were general histories of the United States or of North America; 13 were local histories of towns, cities, counties, or States of the Union; 57 were histories of the recent war, or of particular battles, campaigns, or corps, or of the action of particular States or classes in relation to it; the histories of revolutionary, or ante-revolutionary times, were 17; there were 15 histories of other countries, and 15 ecclesiastical histories. In theology there were 75 works, of which 20 belonged to general and 55 to polemic theology. In physics and natural science there were also 75 works; 1 in natural philosophy, 9 in chemistry, 4 in botany, 16 in zoology, 3 in palæontology, 35 in geography, 5 in geology, 1 in ethnology, and 1 in astronomy. There were but 2 each in intellectual and in moral philosophy, 4 in ethics, 25 in social science, 8 in political economy, 31 in mechanical and technological science, and 42 in politics and political science. In mathematics there were 7; in education, 31; in classical literature, 3; in law, 129; in medicine, 94; in poetry, 105; in essays and light literature, 65; in philology, 19; in statistics,



152; in the fine arts, 15; in music, 30; in fiction, 241, of which 221 were general, and 20 religious novels; the number of juveniles was 390, of which 340 were religious, 25 tales of adventure, and 25 elementary; of books of travel and discovery, there were 15; of military and naval science, 9; of agriculture, 23, and miscellaneous books, 30. In the department of *General Biography*, one of the most interesting books was a new edition of "Sanderson's Biography of the Signers of the Declaration of Independence," revised and edited by Robert T. Conrad, with an historical account of their residences, by William Brotherhead, and portraits and views. This was an expensive and elegant work. Other works of the kind, were Madame Eugénie Foa's "Contes Biographiques;" "The Women of Methodism, its three Foundresses, Susanna Wesley, the Countess of Huntingdon, and Barbara Heck," by Abel Stevens, LL. D.; "Southern Generals, their Lives and their Campaigns," by William P. Snow; an enlarged edition of "Our Great Captains, Grant, Sherman, Thomas, Sheridan and Farragut," by L. P. Brockett, M. D.; Dr. Samuel W. Francis's "Biographical Sketches of Distinguished New York Surgeons;" "Personal Recollections of Distinguished Generals," by W. F. G. Shanks; "National Portrait Gallery of Eminent Americans," portraits by Alonzo Chappel, with biographical and historical narratives, by Evert A. Duyckinck. Of *Single Biographies* the number was very large, and many of them possessed considerable merit. The principal works of this class were, Professor H. M. Baird's life of his father, "Rev. Robert Baird, D. D.;" "Memoirs of General Louis Bell, late Colonel of the 4th N. H. Regiment, who fell at Fort Fisher," by John Bell Bouton; Rev. C. W. Denison's "Illustrated Life, Campaigns, and Public Services of Philip H. Sheridan;" Rev. Dr. Gardiner Spring's "Personal Reminiscences of his own Life and Times;" Mr. John R. G. Hassard's carefully prepared "Life of the Most Reverend John Hughes, D. D., First Archbishop of New York;" Mr. William V. Wells' admirable history of the "Life and Public Services of Samuel Adams;" the charming "Letters of Wolfgang Amadeus Mozart" (1769-1791), translated from the collection of Ludwig Nohl, by Lady Wallace; Mr. John Savage's "Life and Public Services of Andrew Johnson, Seventeenth President of the United States, including his State Papers, Speeches, and Addresses;" "James Louis Petigru, of South Carolina, a Biographical Sketch;" "Life and Letters of Leonidas L. Hamline, D. D., late one of the Bishops of the M. E. Church," by Walter C. Palmer, M. D.; John Esten Cooke's "Stonewall Jackson, a Military Biography;" "The Life of Emanuel Swedenborg," by William White; "The Life of Blessed John Berchmans of the Society of Jesus," from the Italian of Father Boero, S. J.; "Letters of Life" (an autobiography), by Mrs. Lydia Huntley Sigourney; "Life of Emanuel Swedenborg," by Sarah P. Dougherty; "Life of Benjamin

Silliman, M. D., LL. D.," by Professor George P. Fisher; "Temperance Recollections, Labors, Defeats, and Triumphs (an autobiography)," by John Marsh, D. D.; "Narratives of the Career of Hernando de Soto, in the Conquest of Florida, as told by a Knight of Elvas," etc., translated by Buckingham Smith; "Eulogy on the late Valentine Mott, M. D., LL. D.," by Alfred Post, M. D.; "Memorial Address on the Life and Character of Abraham Lincoln," by George Bancroft; "Prison Life of Jefferson Davis," by Lieutenant-Colonel John J. Craven, M. D.; "Memoirs of the Rev. William Metcalfe, M. D., late minister of the Bible Christian Church, Philadelphia," by his son, Rev. Joseph Metcalfe; "Six Months at the White House with Abraham Lincoln, the Story of a Picture," by F. B. Carpenter; "Life and Times of John Milton," by W. C. Martyn; "William Farel, and the Story of the Swiss Reform," by the Rev. William M. Blackburn; "The Christian Statesman; a Portraiture of Sir Thomas Fowell Buxton," by Z. A. Mudge; "Charles Lamb," a memoir, by B. W. Procter (Barry Cornwall); "The Life and Letters of James Gates Percival," by Julius H. Ward; "In Memoriam, Right Rev. John B. Fitzpatrick;" "Great in Goodness; a Memoir of George N. Briggs, Governor of Massachusetts, 1844 to 1851," by W. C. Richards; "The Life of St. Vincent de Paul, and its Lessons," by Rev. Thomas S. Preston; "Half a Century's Labors in the Gospel," an autobiography, by Rev. Thomas S. Sheardom; "Biographical Introduction to the Writings of Roger Williams," by R. A. Guild; "Trials of an Inventor; Life and Discoveries of Charles Goodyear," by Rev. B. K. Pierce; "Life and Letters of John Winthrop," by Robert C. Winthrop. Only four genealogies are reported as published during the year.

HISTORY, either in general or in its details, is a favorite subject for American authorship; and the number of books in its various departments is always large. The *General History of the United States* would seem to have been well nigh exhausted, but there were seven volumes published on it in the year 1866, one or two of them, however, reprints of early works. To this last class belong the reproduction of Alexander Hamilton's "Observations on Certain Documents in 'The History of the United States for the year 1796,'" issued by the Hamilton Club; "A Youth's History of the Great Civil War in the United States from 1861 to 1865," from a Southern stand-point. Rev. J. A. Spencer compiled, in several illustrated quarto volumes, "A History of the United States from the earliest Period to the Administration of President Johnson." The number of works on *Local American History* was not large, unless we reckon among them those which were devoted to the history of the regiments and officers who were engaged in the late war, and they come more appropriately into another class. The principal local histories were: "Old New York; or Reminis-



cences of the past Sixty Years," by John W. Francis, M. D., LL. D., with a memoir of the author, by H. T. Tuckerman; Mr. Peter S. Palmer's "History of Lake Champlain, from its first Explorations by the French in 1609, to the Close of the Year 1814;" "The History of the Five Indian Nations depending on the Province of New York," by Cadwallader Colden; reprinted exactly from Bradford's New York edition (1727), with an Introduction and notes by John Gilmary Shea;" "Random Recollections of Albany from 1800 to 1808," by Gorham A. Worth, third edition, with notes by the publisher; Mr. J. G. Palfrey's "History of New England from the Discovery by Europeans to the Revolution of the Seventeenth Century, being an Abridgment of his 'History of New England during the Stuart Dynasty.'"

Of *Histories of the War*, or of incidents or details connected with it, the number, though smaller than the previous year, was yet very large. The most important were: "Lloyd's Battle History of the Great Rebellion, from April 14, 1861, to May 10, 1865;" Lieut. Willard W. Glazier's "The Capture, the Prison Pen, and the Escape, giving an account of Prison Life at the South;" "Lieut.-General Grant's Report, comprising the operations of the Union Army from March, 1864, to the Close of the Rebellion;" Professor Henry Coppée's "Grant and his Campaigns, a Military Biography;" "The War of the Rebellion, or Scylla and Charybdis, consisting of Observations upon the Causes, Course, and Consequences of the late Civil War in the United States," by H. S. Foote; Rev. W. D. Sheldon's "The Twenty-seventh Regiment Connecticut Volunteers;" Mr. Sidney Andrews's "The South since the War, as shown by Fourteen Weeks of Study and Observation in Georgia and the Carolinas;" Rev. Dr. R. L. Dabney's "Life and Campaigns of Lieut.-General Thomas J. Jackson (Stonewall Jackson), with Portrait and Diagrams;" Rev. John W. Hanson's "Historical Sketch of the Old Sixth Regiment of Massachusetts Volunteers during its Three Campaigns in 1861, 1862, 1863, and 1864;" "A Rebel War Clerk's Diary at the Confederate States Capital during the Four Years of the Existence of the Confederate Government;" Mrs. P. A. Hanaford's "Field, Gunboat, Hospital, and Prison, or Thrilling Records of the Heroism, Endurance, and Patriotism displayed in the Union Army and Navy during the Rebellion;" "In Vinculis, or the Prisoner of War, being the Experience of a Rebel in two Federal Pens, interspersed with Reminiscences, etc., by a Virginia Confederate" (A. M. Keiley); Mr. William Swinton's "Campaigns of the Army of the Potomac, a Critical History of Operations in Virginia, Maryland, and Pennsylvania, from the Commencement to the Close of the War, 1861-1865;" Mr. William Howell Reed's "Hospital Life in the Army of the Potomac;" Mr. Charles C. Coffin's "Four Years of Fighting, a Volume of Personal Observations with the Army and Navy, from

the First Battle of Bull Run to the Fall of Richmond;" Dr. L. P. Brockett's "The Camp, the Battle-Field, and the Hospital, or Lights and Shadows of the Great Rebellion;" Col. A. J. H. Duganne's "The Fighting Quakers, a True Story of the War for our Union, with Letters from the Brothers to their Mother, and a Funeral Sermon by Rev. O. B. Frothingham;" Mr. Benson J. Lossing's "Pictorial History of the Civil War in the United States of America," Vol. I.; Frazer Kirkland's "The Pictorial Book of Anecdotes and Incidents of the War of the Rebellion;" Mr. J. T. Trowbridge's "The South, a Tour of its Battle-Fields and Ruined Cities, a Journey through the Desolated States, and Talks with the People;" Colonel Harry Gilmore's "Four Years in the Saddle;" Mr. Ambrose Spencer's "Narrative of Andersonville, drawn from the Evidence elicited on the Trial of Henry Wirz, with the Argument of Colonel N. P. Chipman, Judge Advocate;" Mr. Whitelaw Reid's ("Agate," of the *Cincinnati Commercial*.) "After the War, a Southern Tour, May, 1865, to May, 1866;" "Echoes from the South, comprising the most important Speeches, Proclamations, and Public Acts emanating from the South during the late War;" "Among the Guerillas," by Edmund Kirke (J. R. Gilmore); Mr. George F. Harrington's "Inside, a Chronicle of Secession;" Mr. Edward A. Pollard's "The Lost Cause, a new Southern History of the War of the Confederates;" the second and concluding volume of Mr. Greeley's "The American Conflict, a History of the Great Rebellion in the United States of America, 1860-1865, its Causes, Incidents, and Results;" Prof. Taylor Lewis's "The Heroic Periods in a Nation's History, an Appeal to the Soldiers of the American Armies;" "With General Sheridan in Lee's Last Campaign," by a Staff Officer; Hon. John Minor Botts's "The Great Rebellion, its Secret History, Rise, Progress, and Disastrous Failure."

The histories of the *Colonial and Revolutionary periods of our National History* were not very numerous. The most important, by far, of them, though issued near the close of the year, was the ninth volume of Hon. George Bancroft's "History of the United States" (the third volume of his History of the Revolution). The following were the other most important works of this department: "The Orderly Book of the Siege of Yorktown, from September 26, 1781, to November 2, 1781;" "Philip Freneau's Poems relating to the American Revolution, with an Introductory Memoir and Notes," by E. A. Duyckinck; "The Hamiltoniad," and the "Life of Alexander Hamilton," both by Anthony Pasquin (John Williams), reprints from the edition of 1804; "Addresses from the Roman Catholics of America to George Washington, Esq., President of the United States" (reprint from the edition of London, 1790); "The History of the Life and Times of James Madison," by William C. Rives; "The Battle of the Kegs," by Francis Hopkinson (privately



printed); "Notes on the History of Slavery in Massachusetts," by George H. Moore, Librarian of New York Historical Society; "A Historical Inquiry concerning Henry Hudson, his Friends, Relatives, and Early Life, his Connection with the Muscovy Company, and Discovery of Delaware Bay," by John Meredith Read, Jr.

The *Histories of other Countries and Times* were to a larger extent than usual works of original American research, though a few were reprints. We may name among the most valuable: the third volume of Mr. Philip Smith's "History of the World from the Earliest Records to the Present Time;" the 14th and 15th volumes of Henri Martin's "History of France, from the most Remote Period to 1789," translated by Mary L. Booth. These volumes treat of the decline of the French monarchy. The sixth and concluding volume of Thomas Carlyle's "History of Friedrich the Second, called Frederick the Great;" Mr. George Makepeace Towle's "History of Henry the Fifth;" the third and fourth volumes, completing the work, of Miss Harriet Martineau's "History of England from 1800 to 1854;" the 5th, 6th, 7th and 8th volumes of Mr. J. Anthony Froude's "History of England from the Fall of Wolsey to the Death of Elizabeth;" volume 2d of the Emperor Louis Napoleon's "History of Julius Cæsar, comprising the Wars in Gaul;" the same work in the original French; Rev. Dr. E. H. Gillett's "England Two Hundred Years Ago;" a new and elegant edition, from the latest revision of the author, of Lord Macaulay's "History of England from the accession of James II.;" the first volume of a translation with notes, by J. G. Shea, LL. D., of Charlevoix's "History and General Description of New France;" Mr. S. G. Drake's "Historical Memoir of the Colony of New Plymouth;" "The History of Ireland, from the earliest Period to the English Invasion," by the Rev. Geoffrey Keating, D. D., translated from the original Gaelic, and copiously annotated by John O'Mahony.

In *Ecclesiastical History*, the most important works were: vols. 2d and 3d of the Abbé J. E. Darras' "General History of the Catholic Church, from the Commencement of the Christian Era until the Present Time," with an introduction and notes by Archbishop Spaulding; Rev. Dr. E. E. Beardsley's "History of the Episcopal Church in Connecticut, from the Settlement of the Colony to the Death of Bishop Seabury;" "The Moravian Episcopate," by Edmund de Schweinitz; "Lectures on the History of the Jewish Church, Part II., from Samuel to the Captivity," by Very Rev. A. P. Stanley, D.D., Dean of Westminster; "History of the Seventh-day Baptist General Conference," by Rev. James Bailey; "The Conversion of the Northern Nations, the Boyle Lectures for 1865," by Charles Merivale, B. D.; Rev. Dr. Raphall's "Post-Biblical History of the Jews, from the Close of the Old Testament till the Destruction of the Second Temple;" Dr.

J. H. Merle D'Aubigné's fourth volume of his "History of the Reformation in Europe in the time of Calvin;" Rev. C. C. Goss's "Statistical History of the First Century of American Methodism."

Works on THEOLOGY we have classed under two heads, *General* and *Polemic*. In the former, the principal works were: "Discourses on the Book of Genesis," by Rev. H. A. Henry, Rabbi Preacher; "Lectures on Pastoral Theology," by Enoch Pond, D. D.; "A Commentary on the Book of Ecclesiastes," by Rev. Loyal Young, D. D., with introductory notices by Drs. McGill and Jacobus; Prof. J. P. Lange's "Commentary on the New Testament," vol. 2, "Mark and Luke," edited by Drs. Shedd, Oosterzee, Schaff, and Starbuck; vol. 3, "John," edited by Dr. Oosterzee, and vol. 4, "Acts," edited by Drs. Lechler, Gerok, and Schaeffer; "A Critical and Exegetical Commentary on the Book of Genesis, with a New Translation," by J. G. Murphy, D. D., T. C. D., with a preface by J. P. Thompson, D. D.; "Titles, Attributes, Work, and Claims of the Holy Spirit;" edition with introduction and additional notes of Rev. Dr. George R. Noyes; "New Translation of the Hebrew Poets;" "Ecce Homo, a Survey of the Life and Works of Jesus Christ;" a continuation of Rev. Dr. D. D. Whedon's "Commentary on the Gospels, intended for Popular Use;" this volume comprises Luke and John; "The Minor Prophets, with Notes, Critical, Explanatory, and Practical, designed for both Pastors and People," by Rev. Henry Cowles; and Rev. Dr. William S. Plumer's "Studies in the Book of Psalms, being a Critical and Expository Commentary, with Doctrinal and Practical Remarks on the Entire Psalter."

In *Polemic Theology*, the continued existence of the controversial spirit in matters of faith was evident, though, on the whole, less bitter than at some former times. The most important works of this class were: "Memoir of the Controversy respecting the Three Heavenly Witnesses, 1 John v. 7, including Critical Notices of the Principal Writers on both Sides of the Discussion," by Criticus, a new edition, with notes and an appendix, by Ezra Abbot; Dr. Austin Dickinson's "The Resurrection of Jesus Christ Historically and Logically Viewed;" "Apostolic 'Eirenicon,' or Papal Primacy a Figment, being a Reply to Dr. Pusey, by Catholicus Verus;" "The Temporal Mission of the Holy Ghost, or Reason and Revelation," by Henry Edward Manning, Archbishop of Westminster; "The Church of England a Portion of Christ's Own Holy Catholic Church, and a means of Restoring Visible Unity, an Eirenicon," in a letter to the Author of "The Christian Year, by Rev. E. B. Pusey, D. D.;" "The Reunion of Christendom, a Pastoral Letter to the Clergy," etc., by Henry Edward Manning, Archbishop of Westminster; "A Letter to the Rev. E. B. Pusey, D. D., on his recent 'Eirenicon,' by John Henry Newman, D. D.;" "Studies upon the Harmony of



the Three Dispensations of Grace," by a Layman of the Diocese of Maryland; "The Doctrine of Baptism as taught in the Holy Scriptures, and held by the Protestant Episcopal Church," by Rt. Rev. Alfred Lee, D. D., Bishop of the Diocese of Delaware; "Essays, Philosophical and Theological," by James Martineau; "The Resurrection of the Dead, Considered in the Light of History, Philosophy, and the Divine Revelation," by Rev. Hiram Mattison, D. D., with an introduction by Bishop Simpson; "New Jerusalem Tracts, a Series of Six Tracts on the Doctrines of the New Church;" "The Apostleship of Prayer, preceded by a Brief of the Sovereign Pontiff, Pius IX.," by the Rev. H. Ramière, S. J., translated from the French; "The Four Leading Doctrines of the New Church, signified in the Revelation, Chap. XXI., by the New Jerusalem, being those respecting the Lord, His Divine and Human Natures, and the Divine Trinity; the Sacred Scripture; Faith; and Life," translated from the Latin of Emanuel Swedenborg; "Vox Ecclesiæ; or, the Doctrine of the Protestant Episcopal Church on Episcopacy and Apostolical Succession, embracing a Refutation of the Work known as 'Goode on Orders';" "The Immortality of the Soul, Considered in the Light of the Holy Scriptures, the Testimony of Reason and Nature, and the Various Phenomena of Life and Death," by Rev. Hiram Mattison, D. D., second edition; "The Mystery of Iniquity Unveiled, or Popery Unfolded and Refuted, and its Destination Shown in the Light of Prophetic Scripture, in Seven Discourses," by Chandler Curtis; "Romanism in Rome," by Rev. Henry Alford, D. D., Dean of Canterbury; "Theodosia Ernest (vol. 1), The Heroine of Faith (vol. 2), Ten Days' Travel in Search of the Church;" "The Philosophy of Universalism, or Reasons for our Faith," by Rev. J. D. Williamson, D. D.; "Life and Death Eternal, a Refutation of the Theory of Annihilation," by Samuel C. Bartlett, D. D.; "Our Church and her Services," by Rev. A. Oxenden, adapted to the services of the Protestant Episcopal Church in the United States, by Rev. F. D. Huntingdon; "The See of St. Peter the Rock of the Church, the Source of Jurisdiction, and the Centre of Unity," by T. W. Allies, M. A.; "Orthodoxy; its Truths and Errors," by Rev. James Freeman Clarke; "First Principles; a letter to a Protestant, asking Information about the Catholic Church," by Rev. G. H. Doane; "The Law of Ritualism Examined in its relation to the Word of God, to the Primitive Church, to the Church of England, and to the Protestant Episcopal Church in the United States," by the Rt. Rev. J. H. Hopkins, D. D., Bishop of Vermont; "The Apostolic Method of Realizing the True Ideal of the Church," by Rev. Samuel Sprecher, D. D., President of Wittenberg (Lutheran) College; "The Divine Attributes, including, also, the Divine Trinity, a Treatise on the Divine Love and Wisdom, and Correspondence, from the

'Apocalypse Explained' of Emanuel Swedenborg;" "Pastoral Letter of the Second Plenary Council of Baltimore; the Archbishops and Bishops of the United States, in Plenary Council Assembled, to the Clergy and Laity of their Charge;" "The Criterion, a means of Distinguishing Truth from Error in Directions of the Times, with Four Letters on the 'Eirenicon' of Dr. Pusey," by A. Cleveland Coxe, Bishop of the Diocese of Western New York.

Of *Religious Works* not of a controversial character, the number is always large, and this year it is somewhat in excess of the usual amount. We can give only the titles of the more important. "Counsel and Encouragement. Discourses on the Conduct of Life," by Hosea Ballou, D. D.; "The Word of Promise, a Hand-book to the Promises of Scripture," by H. Bonar, D. D.; "The Book of Hours, in which are contained Offices for the Seven Canonical Hours, Litanies, and other Devotions;" "An Introduction to the Devotional Study of the Holy Scriptures," and "Thoughts on Personal Religion, being a Treatise on the Christian Life in its two chief Elements, Devotion and Practice," both works by Rev. Edward Meyrick Goulburn, D. D.; "Precious Truths in Plain Words;" "Christ the Light of the World," by C. G. Vaughan, D. D., Vicar of Doncaster; "Man and the Gospel," by Thomas Guthrie, D. D.; "The Tabernacle; or, the Gospel according to Moses," by George Junkin, LL. D.; "Love to the End, a Book for the Communion Sabbath," by the Rev. Charles E. Knox; "The Little Path to Paradise, a Manual of Prayer for Daily Use, selected from approved Sources, with the Approbation of the most Rev. J. McCloskey, D. D.;" "The Hebrew Lawgiver," by John M. Lowrie, D. D.; "Jehovah-Jireh, a Treatise on Providence," by W. S. Plumer, D. D.; "The Converted Collier, or the Life of Richard Weaver," by R. C. Morgan; "Christian Unity and its Recovery," by Rev. J. Davenport; "The Idle Word, Short Religious Essays upon the Gift of Speech, and its Employment in Conversation," by E. M. Goulburn, D. D.; "Sermons preached upon Special Occasions," by Robert South, D. D., in five volumes, vol. 1, edited by Prof. W. G. T. Shedd; "The Shepherd and His Flock, or the Keeper of Israel, and the Sheep of his Pasture," by Rev. J. R. Macduff, D. D.; "A Pastoral Direction to Inquiring Souls," by J. H. McIlvain, D. D.; "Worship in the School-room, a Manual of Devotion intended especially for the School, also adapted to the Family," by Rev. W. T. Wylie; "On the Restoration, or Hopes of the Early Church Realized," by Henry A. Riley, with an introduction by Rev. J. A. Seiss; "Praying and Working," by Rev. William Fleming Stevenson; "The Living Temple, or Scriptural Views of the Church," by John S. Stone, D. D.; "The Holy Comforter, His Presence and His Work," by Rev. J. P. Thompson, D. D.; "Preparation for the Holy Communion," by Rev. J. T. Wheat, D. D.; "Reason in Religion," by



Rev. F. H. Hedge; "Life in the Cloister, or Faithful and True," by the Author of "The World and The Cloister;" "Devotions of the Ages, or Collects, Texts, and Lyrics, illustrative of the Christian Year, and of the Offices and Ember Seasons of the Church," by Rev. N. G. Allen, with an introduction by Bishop Clark; "The Gospel Church Short Service, selected from the Order of Morning Prayer of Christ's Church, Longwood, for the use of the Broad Church in America, with suggestive views of Faith and Doctrine for Christian Meditation, authorized by the Gospel Church;" "Devotion to the Blessed Virgin Mary in North America," by Rev. Xavier D. Macleod, with a memoir of the author, by Most Rev. John Purcell, D. D., Archbishop of Cincinnati; "The Fruitful Bough, the Centenary Sermon preached before the Newark Conference," by Rev. J. T. Crowe, D. D.; "Sermons preached on different Occasions during the last twenty Years," by Rev. E. M. Goulburn, D. D.; "Royal Truths," by Henry Ward Beecher; "The Home Life in the Light of its Divine Idea," by James Baldwin Brown; "The Life and Light of Men, an Essay," by John Young; "The Office of the Holy Communion in the Book of Common Prayer, a Series of Lectures," by E. M. Goulburn, D. D.; "Mount Calvary, with Meditations in Sacred Places," by Matthew Hale Smith; "A Walk to the Communion Table," by Rev. J. R. Boyd; "Social Hints for Young Christians, in Three Sermons," by Howard Crosby, D. D.; "The Book of Psalms, arranged according to the Original Parallelisms, for Responsive Reading;" "Morning by Morning, or Daily Reading for the Family or the Closet," by C. H. Spurgeon. "Aonio Paleario and his Friends, with a revised Edition of 'The Benefit of Christ's Death,'" by the Rev. W. M. Blackburn; "A Week with Jesus, or Lessons learned in his Company," by John M. Lowrie, D. D.; "Bible Emblems," by the late Rev. E. Seelye; "Sermons preached at the Church of St. Paul the Apostle, New York, during the Years 1865 and 1866;" "In the World, not of the World, Thoughts on Christian Casuistry," by Rev. William Adams, D. D.; "Sermons on the most Important Subjects in the Book of God," by Rev. William Barns.

In the domain of NATURAL SCIENCE the number of publications was somewhat larger than usual, and was distributed through all its subdivisions.

In *Natural Philosophy*, but a single work is recorded; "A New System of Ventilation," by Henry A. Gouge.

In *Chemistry*, there were several important works issued. Among them were: "The Student's Practical Chemistry, a Text-book on Chemical Physics, and Inorganic and Organic Chemistry," by Henry Morton, A. M., and Albert Leeds, A. M.; "A Text-Book of Chemistry, for Schools and Colleges," by Henry Draper, M. D.; "Chemical Tables," by Stephen B. Sharples, S. B.; "Elements of Medical Chemistry," by Howard Rand, M. D.; "An Ele-

mentary Manual of Qualitative Chemical Analysis," by Maurice Perkins, Mott Professor of Analytical Chemistry in Union College; "An Introduction to Practical Chemistry, including Analysis," by John Bowman, F. C. S., edited by Charles L. Bloxam, F. C. S., with 107 illustrations (reprint); "A Manual of Blowpipe Analysis, and Determinative Mineralogy," by William Elderhorst, M. D., third edition, revised and greatly enlarged.

In *Botany* the only important works were: "The Phenomena of Plant Life," by Leo H. Grindon, Lecturer on Botany; "Cactus Grandiflorus, its Pathogenesis, from Observations on the Healthy Organism, and confirmed on the Sick," by Dr. Rocco Rubini, translated by Ad. Lippe, M. D.; "The Language of Flowers," edited by Miss Ildrewe, with an introduction from Thomas Miller, illustrated with colored plates after Doré and others; "Bulbs, a Treatise on Hardy and Tender Bulbs and Tubers," by Edward Sprague Rand, Jr.; "The Vegetable World, being a History of Plants, with their Botanical Descriptions and Peculiar Properties," by L. Figuier (London print).

In *Zoology*, one of the most remarkable books of the year was Mr. Henry James Clark's "Mind in Nature, or the Origin of Life and the Mode of Development of Animals;" "The Structure of Animal Life, Six Lectures delivered at the Brooklyn Academy of Music in January and February 1862," by Louis Agassiz, Professor of Zoology and Geology in the Lawrence Scientific School; "Homes without Hands, being a Description of the Habitations of Animals, classed according to their Principles of Construction," by Rev. J. G. Wood; "Life, its Nature, Varieties, and Phenomena," by Leo H. Grindon; "The Game Birds of the Coast and Lakes of the Northern States of America," by Robert B. Roosevelt.

In *Palæontology* we have: "The Origin and Antiquity of Physical Man, scientifically considered, proving Man to have been contemporary with the Mastodon, etc.," by Hudson Tuttle; "Diuturnity, or the Comparative Age of the World, showing that the Human Race is in the Infancy of its Being, and demonstrating a Reasonable and Rational World and its immense Future Duration," by Rev. R. Abbey.

In *Geography* the principal works were: Mr. James Monteith's "Physical and Intermediate Geography;" "The Peruvian Coast Pilot," by Captain Aurelio Garcia y Garcia, translated from the Spanish; "Lippincott's Pronouncing Gazetteer of the World, new revised Edition, with nearly Ten Thousand New Notices according to the Last Census;" "A Narrative of an Expedition to the Zambesi and its Tributaries, and of the Discovery of the Lakes Shirwa and Nyassa," by David Livingstone, LL. D.; "A Sketch of Chili, expressly prepared for the Use of Emigrants from the United States and Europe to that Country, with a Map, and several Papers relating to the Present War, etc.," by Daniel J. Hunter; "The History of the Atlan-



tic Telegraph from the Beginning in 1854 to the Completion in August 1866," by Henry M. Field, D. D.; "The White Mountain Guide Book," sixth edition; "Mexico and the Solidarity of Nations," by General G. Cluseret; "Thirty Years of Army Life on the Border, comprising Descriptions of the Indian Nomads of the Plains, Explorations of New Territory, a Trip across the Rocky Mountains in Winter," etc., by Col. R. B. Marcy, U. S. A.; "The Missouri Hand-Book, embracing a full Description of the State of Missouri, her Agricultural, Mineralogical, and Geological Character," etc., by Nathan H. Parker; "Brazil and the Brazilians portrayed in Historical and Descriptive Sketches," by Rev. James C. Fletcher and Rev. D. P. Kidder, D. D., with 150 engravings, sixth edition, revised and enlarged. To this list we may add Colton's "New Topographical Maps of North Carolina and of South Carolina;" Colton's "Map of the Battle-Fields of Central Europe;" "Carta Topografica de Méjico;" Mr. A. Lindenkohl's "Map of the Southern Part of the United States, from the Latest Surveys;" and "The Union War Chart."

In *Geology* we have vol. I. of the "Geological Survey of California," by J. D. Whitney, State Geologist; "The World before the Deluge," by Louis Figuier, containing 25 ideal landscapes of the ancient world, designed by Bion, and 208 figures of animals, plants, and other fossil remains and restorations (an imported edition of an English work); "Geological Sketches," by Louis Agassiz; "Orographic Geology, or the Origin and Structure of Mountains, a Review," by George L. Vose, Civil Engineer.

In *Ethnology*, the principal works were: Rev. Justus Doolittle's "Social Life of the Chinese, with Considerations on their Habits, Customs, and Race;" Rev. Edward Webb's "Hindoo Life, with Pictures of the Men, Women, and Children of India;" and Mr. S. R. Wells' "Physiognomy, or Signs of Character based on Ethnology, Physiology, and Phrenology."

In *Astronomy* there was but one work: "The Origin of the Stars and the Causes of their Motions and their Light," by Jacob Ennis.

In *Intellectual Science and Philosophy* the year was not prolific. We note but three works belonging to this class, viz.: "Elements of Intellectual Philosophy," by Rev. Joseph Alden, D. D., LL. D.; "An Examination of Mr. J. Stuart Mill's Philosophy, being a Defence of Fundamental Truth," by James McCosh, LL. D. (a reprint); and "Recent British Philosophy, a Review," by David Masson (also a reprint).

In *Moral Philosophy*, we have the new Revision of Rev. Dr. Wayland's "Moral Science," the last work of the lamented author, and "The Constitution of Man, Physically, Morally, and Spiritually Considered, or the Christian Philosopher," by B. F. Hatch, M. D.

In *Ethics*, the temperance question occupies the principal place, and some essays made their appearance.

In *Sociology and Social Science*, the works of Mr. Herbert Spencer, edited here by Prof. Edward L. Youmans, were the most important issues of the year. Of these there were: "The Principles of Biology," vols. 1 and 2. Other works of this class were: "Beginning Life, Chapters for Young Men, on Religion, Study, and Business," by John Tulloch, D. D.; "Suggestions to Young Men on the Subject of Marriage, and Hints to Young Ladies, and to Husbands and Wives," by John Ellis, M. D.; "The Moral and Intellectual Influence of Libraries upon Social Progress, an Address before the New York Historical Society, November 21, 1865," by Frederic de Peyster, President of the Society; "The Mormon Prophet and his Harem, or an Authentic History of Brigham Young, his numerous Wives and Children," by Mrs. C. V. Waite; "The Omnipotence of Loving-Kindness," being a narrative of the result of a lady's seven months' work among the fallen in Glasgow (reprint); "Comfort for Small Incomes," by Mrs. Warren; "How I Managed my Children from Infancy to Marriage," by Mrs. Warren; "History of the United States Sanitary Commission, being the General Report of its Work during the War of the Rebellion," by Charles J. Stillé; "A Sketch of the History, Plan of Organization, and Operations of the United States Sanitary Commission," by Lewis H. Steiner, M. D.

In *Political Economy*, the principal publications were: "Report of the United States Revenue Commission;" "The Science of Government in connection with American Institutions," by Joseph Alden, D. D., LL. D.; "How I Managed my House on £200 (one thousand dollars) a year," by Mrs. Warren; "Report of the Commissioners appointed by the United States Brewers' Associations to the United States Revenue Commission on the Taxation and Manufacture of Malt Liquors in Great Britain and on the Continent of Europe;" "The Science of Wealth, a Manual of Political Economy, embracing the Laws of Trade, Currency, and Finance," by Amasa Walker.

In *Mechanical and Technological Science*, there were: "A Practical Hand-book for Miners, Metallurgists, and Assayers, comprising the most recent Improvements in the Disintegration, Amalgamation, Smelting, and Parting of Ores, with a comprehensive Digest of the Mining Laws," by Julius Silversmith; "American Ladies' Cookery Book," by Mrs. T. J. Crowen; "The Boston Machinist, being a Complete School for the Apprentice, as well as the Advanced Machinist, showing how to Make and Use every Tool in every Branch of the Business, with a Treatise on Screw and Gear Cutting," by Walter Fitzgerald; "Architecture, Designs for Street Fronts, Suburban Houses, and Cottages, comprising in all 382 Designs and 714 Illustrations," by W. F. Cummings, Architect, Troy, N. Y., and C. C. Miller, Architect, Toledo, O.; "Pocket-Book of Mechanics and Engineering," by John W. Nystrom, C. E., tenth



edition, revised, with additional matter, 14 plates; "The Miller's, Millwright's, and Engineer's Guide," by Henry Pallett, illustrations; "The Practical Brass and Iron Founders' Guide, a concise Treatise on Brass Founding, Moulding, the Metals and their Alloys, etc., to which are added recent Improvements in the Manufacture of Iron, Steel by the Bessemer Process," etc., by James B. Larkin, fifth edition, revised, with extensive additions; "A Method of Comparing the Lines and Draughting Vessels, propelled by Sail or Steam, including a Chapter on Laying off on the Mould Loft Floor," by Samuel M. Pook, Naval Constructor, illustrated by Diagrams; "On Technological Education and the Construction of Ships and Screw Propellers, for Naval and Marine Engineers," by John W. Nystrom, second edition, revised, with additional matter; "The Silver Sunbeam, a Practical and Theoretical Text-Book on Sun Drawing and Photographic Printing, comprehending all the Wet and Dry Processes at present known, with Collodion, Albumen, Gelatine, Wax, Resin, and Silver, as also Heliographic Engraving," etc., by J. Towler, M. D., fifth edition; "Prof. Blot's Lectures on Cookery;" "Practical Guide for the Manufacture of Paper and Boards," by A. Proteaux and L. S. Le Normand, translated by H. Paine, M. D., with a chapter on the manufacture of paper from wood in the United States, by Henry T. Brown, illustrated by six plates; "Construction of Ships for the Merchant Service," by R. B. Forbes; "Treatment and Uses of Peat and Peaty Material, designed expressly for the Instruction of Farmers and Owners of Peat Lands," by J. Burrows Hyde, C. E.; "Mrs. Ellis's Complete Cook, or Perfect Instructor in all branches of Cookery and Domestic Economy;" "The Modern Practice of American Machinists and Engineers, including the Construction, Application, and Use of Drills, Lathe Tools, Cutters for Boring Cylinders and Hollow Work generally, etc., etc., together with Workshop Management, Economy of Manufacture, the Steam-Engine, Boilers, Gears, Belting," etc., by Egbert P. Watson, with 86 engravings.

In *Politics and Political Science*, a class necessarily permitting a wide range, the principal works were: "Great and Grave Questions for American Politicians, with a Topic for American Statesmen," by Eboracus (W. W. Broom); "Reconstruction in America," by a Member of the New York Bar; "Diary 1863-'64-'65," by Count Adam de Gurowski; "The Origin of the Late War," by George Lunt; "The Four Great Powers: England, France, Russia, and America, their Policy, Resources, and Probable Future," by Rev. C. B. Boynton, D. D., Professor at the U. S. Naval Academy, Chaplain of the House of Representatives; "Public Life in Washington, or the Moral Aspects of the National Capital, and the Apparent Tendencies of Political Thought and Feeling in Congress and Cabinet, an Address to his Own Congregation," by Henry W. Bel-

lows, D. D.; "Revolution and Reconstruction, Two Lectures Delivered in the Law School of Harvard College, January, 1865, and January, 1866," by Joel Parker, Royall Professor; "James Stephens, Chief Organizer of the Irish Republic, embracing an Account of the Origin and Progress of the Fenian Brotherhood, being a Semi-biographical Sketch of James Stephens," etc.; "Life and Times of Andrew Johnson, Seventeenth President of the United States, written from a National Stand-point by a National Man;" "The Body Politic," by William R. Barnes; "A Brief Treatise upon Constitutional and Party Questions, and the History of Political Parties, as I received it orally from the late Senator S. A. Douglas," by G. Madison Cutts; "A Political Manual for 1866, including a Classified Summary of the Important Facts of the Period, from President Johnson's Accession, April 15, 1865, to July 4, 1866," etc., by Edward McPherson; "Politician's Manual, the Constitution of the United States of America, the Amendments and Proposed Amendments, also Statements defining the Powers and Duties of the Departments of the Government, Statistics of the United States," etc.; "Celebration at Tammany Hall of the Ninetieth Anniversary of the Declaration of American Independence, by the Tammany Society or Columbian Order, July 4, 1866;" "The Most Bitter Foe of Nations," etc.; "On Democracy;" and "The Making of the American Nation, or the Rise and Decline of Oligarchy in the West," both by J. A. Partridge (London print); "Speeches and Addresses of the Late Hon. David Codrington, with a Biographical Sketch;" "The Constitutional Convention, its History, Powers, and Modes of Proceeding," etc., by John A. Jameson, Judge of the Superior Court of Chicago; "Papers and Correspondence of the Joint Committee on the Italian Reform Movement;" "The Powers of the Executive Department of the Government of the United States," by Alfred Conkling.

Of the *Educational Works*, the greater part were school text-books, readers, speakers, elementary works on geography, grammar, history, penmanship, etc., which do not require further specific mention. Some of these are in French, German, Spanish, or Italian. A few works on the principles of education deserve more particular notice. Among these we may name: "Principles of Education, drawn from Nature and Revelation, and applied to Female Education in the Upper Classes," by the author of "Amy Herbert" (Miss E. M. Sewell), (a reprint); "Notes on Polytechnic or Scientific Schools in the United States, their Nature, Positions, Aims, and Wants," by S. E. Warren, C. E., professor of descriptive geometry, etc., in the Rensselaer Polytechnic Institute; "The Daily Public School in the United States;" "The Teacher's Institute, or Familiar Hints to Young Teachers," by William B. Fowle, first New York edition; "The Higher Education of Woman," by Emily Davies (Edinburgh print).



Under the head of *Mathematics*, we include those games which are of mathematical character, as well as purely mathematical works. Excluding mathematical textbooks of the lower grade, the principal works in this class were: "Draughts or Checkers for Beginners," by H. Spayth; "Hayes's Railroad Fast Express Wages Computing Tables," computed and arranged by Lester Hayes; "The Theory of Equations, containing some Hints on the Roots and Limits of Equations, and the Development Theorem," etc., by Samuel Emerson, A. M.; "Brevity and Brilliancy in Chess, a Collection of Games at this Royal Pastime, Ingeniously Contested, and ending with Scientific Problems, culled from the whole range of Chess Literature," by Miron J. Hazeltine.

In *Classical Literature* the number of books was not large. Editions of Becker's "Gallus" and "Charicles" were imported and sold well. Smith's "Smaller Classical Dictionary of Biography, Mythology, and Geography" was also imported in editions. "Bullions's Principles of Latin Grammar," an approved and popular work, edited and enlarged by Charles D. Morris; Prof. Harkness's "Introductory Latin Book, intended as an Elementary Drill Book on the Inflections and Principles of the Language;" Part II. of "Principia Latina," by William Smith, LL. D., and Henry Drisler, LL. D.

In *Legal Science and Literature* there were a few important treatises, but the great bulk of the very numerous legal publications was composed of cases in the Superior, Supreme, and Appellate Courts of the various States, and of the United States; digests of these reports, statutes of the various States and of the United States, and books of practice and books of forms for legal papers and documents, and for courts of admiralty, civil and criminal courts of the higher and lower grades, and for pensions, bounties, claims, internal revenue, etc. Among the special treatises the most remarkable were: "Bracton and his Relation to the Roman Law, Contribution to the History of the Roman Law in the Middle Ages," by Carl Guterbock, professor of law in the University of Königsberg, translated by Brinton Coxe; "The History of Usury from the Earliest Period to the Present Time, together with a Brief Statement of General Principles concerning the Conflict of Laws in Different States and Countries, and an Examination into the Policy of Usury Laws and their Effects on Commerce," by J. B. C. Murray; "A Treatise on the American Law of Landlord and Tenant, embracing the Statutory Provisions and Judicial Decisions of the Several United States," by John N. Taylor, fourth edition; "The Law of Wills, Parts I. and II.," by Isaac F. Redfield, LL. D.; "Wheaton's Elements of International Law," eighth edition, edited with notes by R. H. Dana, Jr., LL. D.; Major-General Halleck's "Elements of International Law and Laws of War," third edition, revised and enlarged; Hilliard's "Law of Torts, or Private Wrongs;" "Commentaries

on the Law of Criminal Procedure; or, Pleading Evidence and Practice in Criminal Cases," by Joel Prentiss Bishop; "Principles of the Law of Personal Property, and Principles of the Law of Real Property," both by Joshua Williams, the former edited in this country by B. Gerhard and S. Wetherill, the latter by W. H. Rawle and James T. Mitchell; an eighth edition, revised, corrected, and enlarged by John Lathrop, of Angell and Ames' "Treatise on the Law of Private Corporations Aggregate;" Abraham Carruther's "History of a Lawsuit; or, a Treatise on the Practice in Suits and Proceedings of every Description," etc., etc.; Mr. R. H. Tyler's "American Ecclesiastical Law;" F. Hilliard's "Law of New Trials and other Rehearings;" "A Treatise on the Law of Consolidation of Railroad Companies," by Elliott Anthony; Hon. Murray Hoffman's "Digest of the Charters, Statutes, and Ordinances of and relating to the Corporation of the City of New York, the Organization of the County, etc., etc., with Historical Notes, Judicial Decisions, Opinions of Counsel, Reports," etc.; "The Law of Mandamus and the Practice Connected with it, with an Appendix of Forms," by Halley H. Moses; Lieutenant-Colonel Benet's "Treatise on Military Law and the Practice of Courts-Martial." The Civil Code of New York was reported completed by the commissioners, and seems to give very general satisfaction. A military code for the State was also promulgated by Adjutant-General Irvine. Among the reports of cases there were volumes of the Superior Courts, or Courts of Appeal, of Ohio, California, Indiana, Kentucky, Vermont, Connecticut, Massachusetts, Maine, Maryland, Pennsylvania, Illinois, and Iowa, together with reports in the United States Supreme Court, and the Prize Courts for the Southern District of New York. The Revised Statutes of California, Connecticut, New York, and a Digest of those of Texas, were also published. Another volume was added to the Digest of United States Reports, and three volumes were added to Tiffany's "Digest of the Reports of the Court of Appeals of New York." There were also several volumes of Reports of the Practice of the New York Court of Common Pleas, Supreme Court, and the Superior Courts of Indiana. Of standard legal commentaries, or law treatises, besides those already mentioned, there was a new edition of "Chitty on Pleadings," edited and enlarged by Greening, Dunlap, Ingraham, and Perkins; an 11th edition, with further additions of "Comstock's Kent's Commentaries," and a new enlarged edition of "Smith's Leading Cases," by Hare and Wallace. Of manuals and form books there were a great number, embracing the Laws and Forms for Patents, Pensions, Copyrights, Internal Revenue, Parish and Ecclesiastical Laws, Turf Regulations, Court Clerks and Conveyancers' laws and forms, Civil and Criminal Justice's forms, Form Books for the Pacific States and Territories, etc., etc. There were also several compilations



or official issues of particular acts or laws, such as the Internal Revenue Law, the General Corporation Law of New York, the Joint Stock Act of Connecticut, and the Metropolitan Board of Health and Excise Laws of New York, as well as their ordinances. The publication of "Daniell's English Chancery Reports," edited and adapted by J. C. Perkins to American Chancery Practice, of "Hurleton and Coltman's English Exchequer Reports," adapted by Samuel Dickson, and of "Best and Smith's English Common Law Reports," was continued during the year.

In *Medical Literature* the number of works was much larger than usual. The history, progress, diagnosis, and treatment of cholera, were discussed by Drs. Nelson L. North, John Chapman, a former surgeon in the service of the East India Company (Dr. J. W. Palmer), G. T. Collins, J. P. Gilbert, R. Nelson, F. A. Burrall, C. C. Schiferdecker, William Schmale, J. G. Webster, J. C. Peters, E. and A. B. Whitney, L. P. Brockett, H. Hartshorne, and J. F. Geary. In other departments of medicine and surgery, the principal works were, Dr. J. C. Nott's "Contributions to Nerve and Bone Surgery;" Anstie's "Notes on Epidemics," first American edition; an American edition, enlarged and improved, of Dr. Thomas Hawkes Tanner's "Practice of Medicine;" "The Malformations, Diseases, and Injuries of the Fingers and Toes, and their Surgical Treatment," by Thomas Annandale, F. R. C. S. E. (a reprint); a new edition of Cazeaux's "Treatise on Midwifery," edited by Dr. Wm. R. Bullock; H. Minton's "Practical Homœopathic Treatise on Diseases of Women and Children;" an admirable treatise on "The Practice of Medicine," by Austin Flint, M. D.; Dr. B. Finche on "High Potencies and Homœopathies, Clinical Cases, and Observations;" Dr. Ad. Lippe's "Textbook of Materia Medica;" Mr. J. Rudolphy's "Pharmaceutical Directory of all the Crude Drugs now in General Use;" Dr. Henry W. Williams's Boylston prize essay; "Recent Advances in Ophthalmic Science;" Dr. O. Phelps Brown's (the sand-of-life man) "Complete Herbalist;" Dr. H. P. Dillenback's "Consumption Bronchitis, Asthma, Catarrh, and Clergyman's Sore Throat, successfully treated by Medical Inhalations;" an American edition of Dr. J. H. Bennett's "Clinical Lectures on the Principle and Practice of Medicine;" Dr. Charles Bland Radcliff's "Lectures on Epilepsy, Pain, Paralysis, and Certain other Disorders of the Nervous System;" Jones's "Clinical Observations on Functional Nervous Disorders;" Dr. J. H. Rauch's "Intra-mural Interments in Populous Cities, and their Influence on Health and Epidemics;" Dr. Lewis A. Sayre, "On the Mechanical Treatment of Chronic Inflammation of the Joints of the Lower Extremities, with a Description of some New Apparatus for producing Extension at the Knee and Ankle Joints;" Dr. John M. Scudder, "On the Use of Medicated Inhalations in the Treatment of Dis-

eases of the Respiratory Organs;" Dr. J. Marion Sims, "Clinical Notes on Uterine Surgery, with special reference to the Management of the Sterile Condition;" Dr. W. Gonzalez Echeverria's treatise on "Reflex Paralysis; its Pathological Anatomy and Relation to the Sympathetic Nervous System;" Dr. A. O. Kellogg's essay on "Shakespeare's Delineations of Insanity, Imbecility, and Suicide;" Dr. Edward O. Seguin's admirable and philosophic treatise on "Idiocy and its Treatment by the Physiological Method;" Dr. Horatio R. Storer's valuable essay on criminal abortion, entitled, "Why Not?—a Book for every Woman," a prize essay of the American Medical Association; Dr. Da Costa's "Medical Diagnosis, with special reference to Practical Medicine;" Dr. Canniff's "Manual of the Practice of Surgery;" Dr. Jonathan Letterman's (late Medical Director in the Army of the Potomac) "Medical Recollections of the Army of the Potomac;" a reprint of Dr. James Dixon's "Guide to the Practical Study of Diseases of the Eye, with an Outline of their Medical and Operative Treatment;" Dr. John C. Draper's "Manual of Physiology;" "The Physiology of Man," by Austin Flint, Jr., M. D.; Dr. Edward H. Parker's "Hand-Book for Mothers," a guide in the care of young children; "Sexual Physiology, a Scientific and Popular Exposition of the Fundamental Problems of Sociology," by R. T. Trall, M. D.; Dr. Roberts Bartholow's "Spermatorrhœa, its Causes, Symptomatology, Pathology, Prognosis, Diagnosis, and Treatment;" "A Practical Treatise on Fractures and Dislocations," by Frank H. Hamilton, M. D.; a new edition, edited by Dr. Horatio C. Wood, Jr., of Pereira's "Manual of Materia Medica and Therapeutics;" a second American edition of Dr. T. H. Tanner's "Practical Treatise on the 'Diseases of Infants and Childhood;" "A Treatise on Urinary and Renal Diseases," by W. C. Roberts, M. D.; a second and revised edition of Dr. Austin Flint's "Practical Treatise on the Physical Exploration of the Chest, and the Diagnosis of Diseases affecting the Respiratory Organs;" "Orthopedics, a Systematic Treatise upon the Prevention and Correction of Deformities," by Davis Prince, M. D.; a new edition of Barth and Rogers's "Manual of Auscultation and Percussion;" a translation, by Dr. H. Derby, of Prof. A. von Graefe's "Clinical Lectures on Amblyopia and Amaurosis, and the Extraction of Cataract;" "Chloroform, its Action and Administration," by A. E. Sansom, M. B.; a fourth American edition of Dr. Charles West's "Lectures on the Diseases of Infancy and Childhood;" a new edition of Culverwell's "Guide to Health and Long Life, or what to Eat, Drink, and Avoid," etc., etc.; "Alcoholic Medication," by R. T. Trall, M. D.; "Conservative Surgery, as exhibited in Remedying some of the Mechanical Causes that Operate Injuriously both in Health and Disease, with Illustrations," by H. G. Davis, M. D.;



"Insanity in its Medico-Legal Relations, Opinion relative to the Testamentary Capacity of the late James C. Johnson," by W. A. Hammond, M. D.; "The Story of a Stomach, an Egotism, by a Reformed Dyspeptic;" "The Science and Practice of Medicine," by William Aitken, M. D.; first American from the fourth London edition, with additions by Meredith Clymer, M. D.; Dr. Roberts Bartholow "On the Progressive Locomotor Ataxia, its History, Symptomatology, Pathology, and Treatment;" Drs. Laurence and Moon's "Hand-Book of Ophthalmic Surgery for the Practitioner;" a new edition of Neligan's "Practical Treatise on Diseases of the Skin," edited by T. W. Belcher, M. D.; "What Effect has the Meat or Milk from Diseased Animals on the Public Health?" a prize essay, by Samuel R. Perry, M. D.; Dr. T. H. Tanner's "Index of Diseases and their Treatment;" a new edition, with notes, by C. B. Penrose, of Dr. A. S. Taylor's "Manual of Medical Jurisprudence;" a translation by W. C. B. Fifield, M. D., of Velpeau's "Lessons upon the Diagnosis and Treatment of Surgical Diseases;" a reprint of "Practical Therapeutics, considered chiefly with reference to Articles of the Materia Medica," by E. J. Waring, F. R. C. S.

In the way of poetry, fifty-two American aspirants for Parnassian honors appeared before the public. Of these, eight either published their poems anonymously, or under a *nom de plume* whose identity is not yet recognized. Eight were new poems or collections by poets of established reputation, viz., J. G. Whittier (Snow-Bound); J. G. Saxe (Masquerade and other Poems); T. Buchanan Read (collected Poems in three volumes); Bayard Taylor (The Picture of St. John); Alfred B. Street (collected Poems in two volumes); Alice Cary (Ballads, Lyrics, and Hymns); James Russell Lowell (The Biglow Papers, second series); and H. W. Longfellow (Flower de Luce). Seven had acquired some reputation in other walks of literature, viz.: G. H. Calvert (Anyta and other poems); C. D. Gardette (The Fire Fiend and other poems); G. H. Hollister (Thomas à Becket, a Tragedy, etc.); J. J. Piatt (Poems in Sunshine and Firelight); Herman Melville (Battle Pieces and Aspects of the War); George Arnold (Drift, a Seashore Idyl, and other poems), and Abraham Coles, M. D. (The Microcosm, a Poem). The others came before the public for the first time, at least in a volume of poems. Their names and the titles of their works were as follows: Helen L. Parmelee (Poems, Religious and Miscellaneous); Constantine E. Brooks (Ballads and Translations); Mrs. Wm. H. Milburn (Poems of Faith and Affection); Thomas Clarke (Sir Copp, a Satirical Poem); Mrs. Anna Marie Spaulding (Poems); G. Henry Rogers (The California Hundred); Jay H. Naramore (Poems); Annie E. Clark (Poems); Myron Coloney (Manomin, a Rhythmical Romance of Minnesota); John Christian Schaad (Nicholas of the Flue, the Savior of the Swiss Republic); Elizabeth Thurston (Mosaics of

Human Life); William S. Sharswood (The Betrothed, or Love in Death); Frances de Haes Janvier (Patriotic Poems); M. Elva Ford (Songs of the Noon and Night); Dave Murphy (Emogene, a Legend of Lookout Mountain); Henry L. Abbey (Ralph and other poems); Leonard Brown (Poems of the Prairies); Mrs. Bogart (Driftings from the Stream of Life); Margaret H. Preston (Beechenbrook, a Rhyme of the War); William P. Tomlinson (Poems of Home and Abroad); Aubrey de Vere (May Carols, Hymns, and Poems); George P. Carr (The Contest, a Poem); Richard Henry Wilde (Hesperia, a Poem); George H. Miles (Christine, a Troubadour's Song, and other poems); Elizabeth Akers (Poems); Ada Cambridge (Hymns on the Holy Communion); Forceythe Willson (The Old Sergeant and other poems); John A. Dorgan (Studies); Harriet McEwen Kimball (Hymns); A. D. F. Randolph (Hopefully Waiting and other verses); Edgar Lewis Wakeman (Winter Freed, a Summer Idyl); Mary E. Tucker (Poems); Robert K. Weeks (Poems); J. C. Heywood (Antonius and Herodias, Dramatic Poems); Emma Lazarus (Poems and Translations). Aside from these, there were about the usual number of compilations, including three of the lyric poems elicited by the War—one, of the Northern poems, by Richard Grant White, and two, of the Southern poems, by W. Gilmore Simms and Miss Emily V. Mason; a new and materially enlarged edition of Mr. Charles A. Dana's "Household Book of Poetry;" one of Mr. J. W. Palmer's "Folk Songs;" "Poems of Religion, Sorrow, Comfort, Counsel, and Aspiration," selected by Prof. F. J. Childs, and several other volumes of consolatory poetry; "Hymns of Progress," collected by Levi K. Coonley; and two pretty volumes of selected poetry, entitled "Drifted Snow Flakes," and "Home Songs for Home Birds." There were also reprints and new illustrated editions of Longfellow's, James and Horace Smith's, Whittier's, and Lowell's poems, of Drake's "Culprit Fay," and American editions of Tennyson's, Swinburne's, Buchanan's, Mrs. E. B. Browning's, Miss Christina G. Rossetti's, Rev. H. R. Bonar's, T. K. Hervey's, Miss Mulock's, and Mrs. Charles's poems, as well as of the standard poets of a former generation. Some of the latter were finely illustrated. In addition to these, there were several collections of hymns for religious worship.

In *Essays and Light Literature*, along with a considerable amount of trash and some ephemeral essays, there were a number of valuable works. The most important of these were: "The Ethics of the Dust, Ten Lectures to Little Housewives on the Elements of Crystallization," by John Ruskin (a reprint); "The Criterion, or the Test of Talk about Familiar Things, a series of Essays," by Henry T. Tuckerman; an admirable collection of choice epistolary writings, under the title of "Literature in Letters, or Manners, Art, Criticism, Biography, His-



tory and Morals, illustrated in the Correspondence of eminent Persons," edited by James P. Holcombe, LL. D.; "Unto this Last," by John Ruskin; "Literary Remains" and "Occasional Sermons, Reviews and Essays," both by the late Rev. James Floy, D. D.; "Essays, Moral, Political, and Æsthetic," by Herbert Spencer; "Mosses from a Rolling Stone, or Idle Moments of a Busy Woman," by Tenalla (Mary Bayard Clarke); "The Works of Philip Lindsley, D. D.," edited by Levi J. Halsey, D. D.; "Campaigns of a Non-Combatant, and his Romaunt during the War," by George Alfred Townsend; "Bibliographical and Critical Account of the Rarest Books in the English Language, alphabetically arranged, which, during the last fifty years, have come under the observation of J. Payne Collier, F. S. A.;" "A History of the Gypsies," by Walter and James Simson; "Josh Billings, His Sayings," "Footlight Flashes," by William Davidge, comedian; "Summer Rest," by Gail Hamilton (Miss Abigail Dodge); "The *Emerald*, a collection of Tales, Poems, and Essays," etc., edited by Epes Sargent; Prof. Goldwin Smith's "Lectures on the Study of History;" "The Valley of Wyoming, the Romance of its History and its Poetry," compiled by a Native of the Valley; "Crumbs from the Round Table," by Joseph Barber; a new and enlarged edition of O. Edwards Lester's "Glory and Shame of England;" Ruskin's "Crown of Wild Olive;" "The Old Merchants of New York," by Walter Barrett, Clerk (James A. Scoville); "Who Goes There? or, Men and Events," by "Sentinel;" "Footprints of a Letter-Carrier, or a History of the World's Correspondence," by James Rees; "Archbishop Spaulding's Miscellanea, comprising Reviews, Lectures, and Essays on Historical, Theological, and Miscellaneous Subjects;" "Papers from Overlook House;" "Venetian Life," by William D. Howells; "Letters of Eugénie de Guérin;" "Superstition and Force;" "Essays on the Wager of Law, the Wager of Battle, Ordeal, Torture," by Henry O. Lea; "The Genius of Edmund Burke," by J. L. Batchelder; "Spanish Papers, and other Miscellanies, hitherto unpublished or uncollected," by Washington Irving, arranged and edited by Pierre M. Irving; a continuation of the new (Riverside) edition of Irving's Works; "Last Words of Eminent Persons," compiled by Joseph Haines; "A Yankee in Canada, with Antislavery and Reform Papers," by Henry D. Thoreau; "The Authorship of Shakspeare," by Nathaniel Holmes; "Treasures from the Prose Writings of John Milton;" "Character and Characteristic Man," by Edwin P. Whipple; "Red Letter Days in Applethorpe," by Gail Hamilton (Miss Abigail Dodge); "Prose Works of John Greenleaf Whittier;" "Prose Works of Henry W. Longfellow;" "Beethoven's Letters, 1790 and 1826," from Dr. Nohl's Collection, translated by Lady Wallace; "Out of Town, a Rural Episode," by Barry Gray (R. B. Coffin);

"Stories of Many Lands," by Grace Greenwood (Mrs. Sarah J. Lippincott); "The Book of the Sonnet," edited by Leigh Hunt and S. Adams Lee; "Breathings of the Better Life," edited by Lucy Larcom; J. N. Ireland's "Record of the New York Stage, 1750 to 1860;" "American Leaves, Familiar Notes of Thought and Life," by Samuel Osgood; "Notice of Poems and Reviews (Laus Veneris and other Poems and Ballads), by Algernon Charles Swinburne. In addition to these, a complete and elegant American edition of Burke's Works, and one of Burton's "Anatomy of Melancholy," passed through the press during the year.

In *Philology*, the most important works were the late Rev. Dr. F. L. Hawks's "The English Language, Elementary Instruction;" several new and excellent Text-books for the thorough study of the French Language, by Magill; Maurice Poitevin, Olivet Beleze, and Ledru; Dean Alford's "Plea for the Queen's English," reprinted here, and Mr. Washington Moon's caustic review of it, under the title of "The Dean's English;" Prof. W. H. Green's "Elementary Hebrew Grammar," and Prof. Adler's edition of Wilhelm Humboldt's "Course of Linguistical Studies."

Of the one hundred and forty-one works of the *Statistical Class*, there are few perhaps of other than local interest except the 4th volume of the United States Census for 1860, which at rather a late date gave the educational, philanthropic, religious, and miscellaneous statistics collected in that enumeration. The Statistical Almanacs, and the Gazetteers of the different States, which with the Business Directories make up the greater part of this class, possess much local value, but hardly require a place in such a record as this. The following have more general interest: "The List of the Union Soldiers Buried at Andersonville;" Mr. J. Disturnell's "U. S. Register or Blue Book for 1866;" "The American Ephemeris and Nautical Almanac for the Year 1867;" "The Preliminary Report on the State Census of New York;" Hitchcock's "Chronological Record of the American Civil War, from November 8, 1860, to June 3, 1865;" "The American Annual Cyclopædia, for 1866;" Mr. William P. Blake's "Annotated Catalogue of the Principal Mineral Species hitherto recognized in California and the adjoining States and Territories, being a Report to the California State Board of Agriculture;" "Ashcroft's Railway Directory for 1866;" "The United States Official Army Register of the Volunteer Force of the United States Army for the Years 1861-'65, Part II., New York and New Jersey;" Kelly's "American Catalogue, comprising Books published in the United States (original and reprints), from January, 1861, to January, 1866," etc., etc.; "The Metric System, a Compilation;" "A Complete List of Booksellers, Stationers, and News Dealers in the United States and the Canadas," by John H. Dingman; "Bibliotheca Americana Vetustissima, a Description of Works relating



to America, published between the Years 1492 and 1551," by Henry Harrisse.

Under the head of the *Fine Arts*, including in this books of extraordinary beauty of illustration, the number of American books, was small. Perhaps the finest, certainly the most remarkable of the American gift books, for the work bestowed on it, was Mrs. Badger's "Floral Belles from the Green House and Garden," with sixteen large folio illustrations, all painted from Nature for each copy, by Mrs. Badger herself. Other illustrated books of some merit, were, "The King's Ring," by Theodore Tilton, illuminated by Frank Jones; "Roses and Holly, a Book for all the Year;" "Evangeline, illustrated by Darley;" Mr. P. B. Wright's "Photographs and Descriptions of the National Academy of Design;" Mr. G. W. Carleton's humorous brochure, "Our Artist in Peru," which possessed great merit in its way; "Æsop's Fables," in quarto, with lithographic illustrations, was very creditable to the artist. The foreign illustrated books were, many of them, of great beauty, and were imported in large quantities. Doré's Illustrated Bible in French, his illustrations of Tennyson's "Elaine," John Leighton's "Life of Man Symbolized by the Months of the Year," and many others which might be named, were very creditable to the skill of foreign designers, engravers, and printers. Of Art manuals, there were a few; the most important were Newman's "Manual of Harmonious Coloring, as applied to Photography;" Palgrave's "Essays on Art," and Rev. Dr. G. W. Samson's "Elements of Art Criticism." Other works relating to art were Richard M. Hunt's "Designs for the Gateways of the Southern Entrance to the Central Park;" Mr. T. Addison Richards's "Guide to the Central Park." Mr. D. H. Jacques published "The House, a Manual of Rural Architecture;" and Mr. G. W. Woodward a work on "Architecture, Landscape Gardening, and Rural Art."

The works published under the head of *Music* during the year, consisted of collections of church music, Sunday-school music books, glee books, and charts, adapted to the service of the Episcopal Church. Of the last description were Dr. H. S. Cutler's "Trinity Psalter," and Mr. J. H. Hopkins, Jr.'s "Canticles Noted" and accompanying "Harmonies and Common Praise for the Book of Common Prayer." Of church music books the principal were "The Book of Praise of the Reformed Dutch Church;" Mr. J. E. Perkins's "Golden Promise," and "The Psalm King;" Mr. McIntosh's "Taber, or the Richmond Collection of Sacred Music;" Dr. Lowell Mason's "New Sabbath Hymn and Tune Book." For Sunday-schools, the principal books were Rev. E. P. Hammond's "Praises of Jesus;" Converse and Goodenough's "Sunday-School Singer;" Philip Phillips's "Singing Pilgrim;" Mr. Bradbury's "Golden Hymns," and his "New Golden Chain;" Dr. Lowell Mason's "Song Garden," "Third Book," and "The Band of Hope Melodies." Besides these

there were, "The New Melodeon," by Rev. J. W. Dadman; "The Social Hymn Book" (with tunes) of the Presbyterian Publication Committee; and Mr. G. L. Taylor's "Six Centenary Hymns," with music. Of new secular music books, the only important ones were Mr. G. F. Root's "Coronet, a Collection of Music;" and Mr. T. F. Seward's "Sunnyside Glee Book." The space necessarily allotted to this article does not permit us to give the titles in full of the two hundred and forty-one *works of fiction*, or the three hundred and ninety *juveniles* published during 1866; we can at best only give the names of the authors and perhaps the titles of a few of the most remarkable in each class. Of American writers of *fiction* the following published more than one work during the year: Mrs. J. Sadlier, six; Edward Willett and W. J. Hamilton, each four; Roger Starbuck and J. Stanley Henderson, each three; Lieutenant Murray, C. Dunning Clarke, J. T. Trowbridge, James L. Bowen, "Anna Argyle," A. Stewart Harrison, Mrs. Louise Clack, Mrs. E. D. E. N. Southworth, "Ned Buntline" (E. Z. C. Judson), Mrs. Anna E. Porter, Mrs. Ann H. Stephens, Capt. L. C. Carleton, the author of "Luke Darrell," Edward E. Ellis, the author of "Zeke Sternum," two each. The authors of single novels, published during the year, were: "E. Foxton," "Marion Harland" (Mrs. Virginia C. Terhune), T. S. Arthur, John Esten Cooke, Sallie J. Hancock, "Meta Lander" (Mrs. Lawrence), Mrs. Margaret Hosmer, H. B. Godwin, Anne H. M. Brewster, Bayard Taylor, Mrs. E. M. Bruce, Charles Godfrey Leland, Anna Cora Ritchie (Mowatt), William T. Adams, Mansfield T. Walworth, F. A. Durivage, Augusta J. Evans, Donald G. Mitchell, W. G. Simms, Seeley Regester, A. S. Roe, Amanda M. Douglas, J. Ross Browne, Lucy Ellen Guernsey, the author of "Rutledge;" Mrs. Bella Z. Spencer, Virginia F. Townsend, Henry Morford, George Ward Nichols, the author of "Margaret and her Bridesmaids;" L. Augustus Jones, C. H. Wiley, the author of "Kate Kennedy;" Captain Hamilton Holmes, Francis Derrick, the author of "Twice Married," "A Clergyman's Wife;" M. L. M.; H. Milnor Knapp, the author of "The Silent Woman;" J. Thomas Warren, N. C. Iron, Ada Clare, William North, J. M. Nichols, Paul Preston, author of "Long-Legged Joe;" Boynton Randolph, Fred. Hunter, Joanna H. Matthews, the author of "The Serf;" Fanny M. Downing, Boynton H. Belknap, "Harry Hazleton;" Cora Bulkley, the author of "Vernon Grove;" P. H. Myers. One of John Saunders's novels was reprinted. The number of reprints of foreign novels was one hundred and ten, and included six each of Mrs. Amelia B. Edwards and "Louisa Mühlbach's" (Clara Mundt) works; four each of Mrs. Gore's, Edmund Yates's, Michael Banim's, and Mrs. Oliphant's; three each of Mrs. Henry Wood's; J. Sheridan Le Fanu's, Mrs. C. J. Newby's "Ouida's," Madame Dudevant (George Sand), and "George Eliot" (Miss Marian Evans); two each of Alex-



ander Dumas', Anthony Trollope's, Mrs. R. Mackenzie Daniels's, Miss Anne Manning's, F. G. Trafford's, James Greenwood's, Victor Hugo's, Miss M. A. Braddon's, Wilkie Collins's, Captain Mayne Reid's, Mrs. J. H. Riddell's, and single works of Thomas Hood, Alexander Smith, Charles Dickens, Pierce Egan, Mrs. Gaskell, Mrs. Craik (Dinah M. Mulock), Harriet Lee, the Abbé (author of "Le Maudit"), Anne Beale, W. Carleton, Mrs. Trafford Whitehead, Florence Marryat (Mrs. Ross Church), Henry Kingsley, Sir E. B. Lytton, Annie Thomas, Marie Nathusius, Gustave Aimard, "Sheelah," Hon. Mrs. Norton, Henry Lawrence (author of "Guy Livingstone"), Charles Reade, Miss Yonge (author of the "Heir of Redclyffe"), Charles Lever, J. P. Lafitte, H. Grattan Plunkett, Percy Fitzgerald, Mrs. E. Charles, Margaret Blount, Edouard Laboulaye, Mary Brunton, G. F. Townsend, Mrs. J. F. Smith, Charles Beach (author of "Cousin Stella"), Charles Clarke, George Macdonald, E. Lynn Linton (author of "The Marrying Man"), A. Clyde, and the author of a "Fast Friendship."

There were twenty-nine anonymous novels published during the year. The authors of juvenile books were a legion. Nearly one-half of the whole number—one hundred and eighty-three—were published anonymously. In those of known authorship, American authors largely predominated, one hundred and sixty-six being by American writers and only forty-one by those of foreign countries. Of the American writers, "Nellie Grahame" and "Alice Gray" were each authors of seven volumes; Miss Martha Farquharson of six; Miss Caroline E. Kelly, Miss Elizabeth Stuart Phelps, "Glance Gaylord," and Oliver Optic (W. T. Adams), each of four; Rev. W. M. Blackburn, Mary Dwinell, E. L. Llewellyn, Samuel G. Green, and the author of "Edith's Ministry," each of three; Rev. John Todd, "Sister Ruth," "Thrace Talmon," Mrs. M. M. Boardman, the author of "Lucy Randolph," Mrs. M. E. Barry, Mrs. M. A. Denison, Rev. W. P. Breed, "Fleeta," Theodore Tilton, Miss C. M. Trowbridge, Mrs. J. P. Ballard, Alex. A. Dodge, and "Pansy," each two; and single volumes were written by Mrs. A. D. F. Whitney, "Cousin Bessie," "M. L. B.," H. E. Scudder, Grace W. Hinsdale, "K. H. P.," Miss Lamb, W. G. Sleeper, Sarah J. C. Whittlesey, H. H., the author of "Fern's Hollow," Mrs. Prosser, Rev. Asa Ballard, Miss Sarah G. Connell, Miss Anna B. Cooke, Rev. Sidney Dyer, Miss Annie Fisler, Margaret B. Franks, Rev. B. Hawley, D. D., author of "The Rose Buds," Mrs. Swerdna, author of "The Huguenots in France," Miss M. Bamford, Abby Eldridge, Miss Emily Warner, the author of "Maggie and Willie," Jennie Harrison, Alfred Oldfellow, Rev. A. P. Peabody, F. R. Goulding, the author of "Doing and Suffering," Charles L. Bruce, Mary Harvey Gill, the author of "The Young Apprentice," Sarah A. F. Herbert, Aunt Hattie, Emma S. Babcock, Rev. Hiram Bing-

ham, Jr., author of "Ellen and her Cousins;" J. W. Kimball, Agnes M. Stewart, "Aunt Friendly," H. Winslow, Marian Butler, author of "Annie Lorimer;" Rev. W. J. McCord, Martha Haines Butt, Rev. J. H. Vincent, "Edith Grahame," Rev. J. H. Jones, E. H. M., Mrs. A. J. Moffat, Margaret E. Wilmer, H. W. N., C. D. Shanly, "F. S. A.," W. C. Martyn, "A. L. S.," Mrs. Madeline Leslie, "H. F. P.," "Lawrence Lancewood," Mrs. Carrie L. May, "Vieux Moustache;" author of "The Silver Cup;" Mrs. J. McNair Wright, Horatio Alger, Jr., Nellie Eyster, Jane G. Austin, Mrs. Mortimer, "E. Y. L.;" author of "Win and Wear," author of "Katharine Morris;" Mary Ellis, "Marian Harland," (Mrs. V. C. Terhune), Rev. S. H. Tyng, D. D., Mrs. J. E. McConaughy; the author of "Money;" Helen Wall Pierson, Mrs. Florence Russell, G. E. Sargent, Miss J. G. Fuller, Mrs. R. J. Greene, Anne G. Hall, and "Cousin Virginia."

Of the reprints, six were works of A. L. O. E., three each of Emma Marshall, Mrs. Carey Brock, and Madeline E. Hewer; two each of Miss Bickersteth, J. Hardter, Jean Ingelow, and "S. T. C.;" and one each of Miss Sarah Tytler, Rev. W. K. Tweedie, Hans C. Andersen, J. H. Langille, the author of "The Dove on the Cross," Rev. T. Chalmers, "Marian Howard," John William Kirten, William Dalton, Alfred Elwes, W. Heard Hilliard, Mrs. Ellis, "Mistress Knutt," Rev. Norman McLeod, D. D., Mrs. E. Charles, Francis Lee, W. Harrison, and Andrew Whitgift.

Of *Works of Travel and Discovery* there were but few, and several of these were imported English works; the most important were: "The Pilgrim's Wallet," by Rev. Gilbert Haven; Mr. M. N. Olmsted's "Universal Pathfinder and Business Man's Pocket Companion;" "Emigration to Brazil;" Madame Octavia Walton Le Vert's "Souvenirs of Travel;" "Letters from Europe and the West Indies, 1843-1852," by Thurlow Weed; "The Giant Cities of Bashan and Syria's Holy Places," by Rev. J. L. Porter (Edinburgh print); Heine's "Pictures of Travel," translated by C. G. Leland; Miller's "New Guide to the Hudson River," illustrated by T. Addison Richards; "English Travellers and Italian Brigands," by W. J. C. Moens (reprint); "Oregon and Eldorado, or Romance of the Rivers," by Thomas Bulfinch; and "The Albert Nyanza," by S. W. Baker (London print).

The only *Military Works* of note were: Capt. Walworth Jenkins's "Q. M. D., or, Book of Reference for Quartermasters;" "Major-General Sherman's Complete Reports (Beadle's edition); Gen. G. K. Warren's "Account of the Operations of the Fifth Army Corps at the Battle of Five Forks," etc.; "The Official Army, and the Official Navy Register;" Lieut. Col. S. V. Benet on "Electro-Balistic Machines, and the Schultz Chronoscope;" Col. A. V. Kautz's "Customs of Service for Officers of the Army, as derived from Law and Regulations and practised in the U. S. Army."



In *Agriculture*, the most important works were: Frederick Muensch's "School for American Grape Culture (with especial reference to Vineyards);" Edward Enfield's "Indian Corn, its Value, Culture, and Uses;" the New England Agricultural Society's "Transactions;" Mr. W. C. Strong on "The Culture of the Grape;" a fifth edition of Mr. Robert Morris Copeland's "Country Life, a Hand-book of Agriculture, Horticulture, and Landscape Gardening;" Edward Sprague Rand's "Garden Flowers and how to Cultivate them;" Thomas Rivers's "Miniature Fruit Garden, or the Culture of Pyramidal and Bush Trees;" a translation of M. George Ville's "High Farming without Manure;" "My Vineyard at Lakeview," by a Western Grape Grower; Simon N. Saunders's "Treatise on Domestic Poultry;" "The Cultivation of the Native Grape and Manufacture of American Wine," by George Husmann; Mr. D. H. Jacques's "The Garden, a Manual of Horticulture;" and "The Barn-Yard, a Manual of Cattle, Horse, and Sheep Husbandry;" Mr. Elliot C. Cowdin's address on "Agriculture, its Dignity and Progress;" "The Horse Book, being Simple Rules for Managing and Keeping a Horse;" J. Talboys Wheeler's "Madras *versus* America, a Hand-book to Cotton Cultivation" (London print); a new edition of Thomas Bridgeman's "American Gardener's Assistant."

The ENGLISH LITERATURE of the year was somewhat more extensive than ours. The publication of books in Great Britain is effected either mediately or immediately through London publishing houses, and during the year there appeared in London 4,204 new books and new editions: Religious books and pamphlets, 849; biographical and historical, 194; medical and surgical, 160; poetry and the drama, 232; novels, 190; minor fiction and children's books, 544; travels, biography, and geography, 195; annuals and serials (volumes only), 225; agriculture, horticulture, etc., 64; English philology and education, 196; European and classical philology and translation, 161; law, 84; naval, military, and engineering, 39; science, natural history, etc., 147; trade and commerce, 79; politics and questions of the day, 167; illustrated works, 85; art, architecture, etc., 34; miscellaneous, not classified, 359—total, 4,204. We have space to review hastily only the leading works of this large mass of literature.

In HISTORY, the first work of importance in 1866 was Mr. Charles Duke Yonge's "History of France under the Bourbons." With this work we should couple Mr. Eyre Evans Crowe's "History of France," published in the autumn. Mr. J. H. Bridges, M. P., delivered before the Philosophical Society of Edinburgh, and has now published in a volume, four lectures, with the title of "France under Richelieu and Colbert." Another work on French history is that of Miss Freer, on "The Regency of Anne of Austria, Queen Regent of France, Mother of Louis XIV." We have two more volumes of

Mr. Froude's great work on the "History of England from the Fall of Wolsey to the Death of Elizabeth." In the sections which he now puts forth, he gives an account of the plots and machinations of Mary Stuart, stripping away the romantic disguises which have long hidden from accurate observation the character of that woman—who, by the way, has been defended by Mr. A. McNeel-Caird, in a work entitled "Mary Stuart, her Guilt or Innocence: an Inquiry into the Secret History of her Times." Mr. J. Heneage Jesse has issued three volumes of "Memoirs of the Life and Reign of King George III." and the very source of our race has been inquired into by Mr. Luke Owen Pike, in his curious work, "The English and their Origin: a Prologue to Authentic English History." The origin of the Scotch Highlanders has been made a subject of inquiry by Colonel Robertson F. S. A. Scot, in his "Concise Historical Proofs respecting the Gael of Alban," a Celtic race allied to the Britons. Oriental history has been illustrated by Mr. Robert Grant Watson, in "A History of Persia from the Beginning of the Nineteenth Century to the Year 1858, with a Review of the Principal Events that led to the Establishment of the Kajar Dynasty." Mr. Lionel James Trotter has issued the second volume of his "History of the British Empire in India, from the Appointment of Lord Hardinge to the Political Extinction of the East India Company." Surgeon Rennie, of the 20th Hussars, has written a volume entitled "Bhotan, and the Story of the Dooar War; including Sketches of a Three Months' Residence in the Himalayas, and Narrative of a Visit to Bhotan in May, 1865." Mr. Bryce has published a second edition of his historical study on "The Holy Roman Empire," with enlargements. The ancient Roman Republic is in safe and worthy hands when treated by such an author as Mr. George Long, who last year published the second volume of his great work. Mr. J. William Law issues two volumes (with map and plan) on "Hannibal's Campaign." Mr. W. J. Fitzpatrick, J. P., has written a small book on the Irish disturbances at the close of the last century: this work, to which the author gives the title of "The Sham Squire, and the Informers of 1798," reached a third edition in the spring of the year. Mr. William Fox, A. M., late Colonial Secretary and Native Minister of New Zealand, publishes an account of the last war with the Maories; and from Mr. Paul C. Sinding we have "A History of Scandinavia, from the Early Times of the Northmen, the Sea-kings, and Vikings." Lord de Ros, Lieutenant-Governor of the Tower, gives us an illustrated volume of "Memorials of the Tower;" and Mr. J. T. H. Thurlow has written an account of the East India Company's rule in Hindostan, under the title of "The Company and the Crown." Colonel Heros von Borecke, lately Chief of the Staff to General J. E. B. Stuart, of the Confederate Cavalry, has published some



"Memoirs of the Confederate War for Independence;" and Mr. W. Ansdell Day has told the story of the Polish war for independence of 1863, in a work called "The Russian Government in Poland." Of works having reference to the Continental war of last summer, we must mention Mr. Edward Dicey's "Battle-fields of 1866," reprinted from his letters to a London daily paper of which he was the special correspondent.

In HISTORICAL BIOGRAPHY we find—a work on "The Life and Letters of Lady Arabella Stuart, including numerous Original and Unpublished Documents," by Miss Elizabeth Cooper, from whom we have already had "A Popular History of America." Miss Harriet Parr has produced two volumes entitled "The Life and Death of Jeanne d'Arc, called 'The Maid.'" Under this heading of "Historical Biography" comes also the third volume of Signor Mazzini's "Life and Writings," as it is autobiographical in its contents, and traces the career of the great Italian agitator from his youth to the eve of the year 1848. Professor R. L. Dabney, D. D., of Richmond, Virginia, has published vol. ii. of his "Life of Lieutenant-General Thomas J. Jackson"—the famous "Stonewall" Jackson of the Confederate army. Miss Strickland has written (from her own well-known point of view) "The Lives of the Seven Bishops committed to the Tower in 1688," illustrated with personal letters, now first published, from the Bodleian Library; and the Rev. J. G. Brighton has compiled some "Memoirs of the late Admiral Sir B. P. V. Broke," commander of the Shannon in her celebrated duel with our own Chesapeake. Mrs. Henry Baring has edited the "Diary of the Right Hon. William Windham," from 1784 to 1810—and side by side with this work we should mention Mr. John Campbell Colquhoun's "William Wilberforce, his Friends and his Times." The gallant old hero of the Peninsula and of Bhurtpore—Lord Combermere—has been commemorated in two volumes of biography and correspondence, the joint production of Lady Combermere and Captain W. W. Knollys. Scotch ecclesiastical history has received some light from a volume by the late Rev. James Young—"The Life of John Welsh, Minister of Ayr." Lady Ellis has published a memoir of her late husband, Lieutenant-General Sir S. B. Ellis, of the Royal Marines, compiled from his own memoranda. Earl Russell has added a third volume to his "Life of Charles James Fox," embracing the later years of Pitt's life. Mr. James Murray has compiled in two volumes the "Lives of Charles V., Leo X., and Erasmus;" and Mr. David H. Wheeler has translated, from the Italian of Emanuele Celesia, "The Conspiracy of Gianluigi Fieschi, or Genoa in the Sixteenth Century."

In GENERAL BIOGRAPHY there was translated from the German of Dr. Heinrich Kreissle von Helborn, by Mr. Edward Wilberforce, a life of Franz Schubert, the musician. Lady Wallace

very excellently rendered "Beethoven's Letters (1790–1826), from the Collection of Dr. Ludwig Nohl." Mr. F. A. Schwarzenberg wrote in English an account of the life of Alexander von Humboldt; and the Rev. Mr. Gill translated from the French of M. Felix Bovet a work relating the spiritual labors of Nicolas Louis Zinzendorf, to which has been given the title of "The Banished Count." Another interesting memoir, that of the Marchesa Giulia Falletti di Barolo, has been presented to the English public by means of a translation of Silvio Pellico's biography of her, by Lady Georgiana Fullerton. The marchesa lived until January, 1864, when she expired at an advanced age; and a few extra pages by the translator complete the record of her life. The work is interesting from the systematic charity of her life, which was worthy of all praise. Wherever a good work was to be done, she was eager in doing it; and by her courageous labors in the jails of Turin she has earned a place among prison reformers, together with John Howard, Mrs. Fry, and others. Under the title of "The Last Days in England of the Rajah Rammohun Roy," Miss Carpenter has written an account of that remarkable man and his work. "The Pagan Christ of the Third Century," Apollonius of Tyana, has been made the subject of a short biographical essay by M. Réville, Doctor in Theology, and Pastor of the Walloon Church in Rotterdam, which has come before us in an English form. Miss Bessie Rayner Parkes, in a little volume called "Vignettes," has given us twelve biographical sketches of Madame Swetchine, La Sœur Rosalie, Madame Pape-Carpantier, Madame de Lamartine, Madame Luce, of Algiers, Governor Winthrop's wife, Miss Cornelia Knight, Bianca Milesi Mojon, Mrs. Delany, Harriot K. Hunt, Miss Bosanquet, and Mrs. Jameson. Miss Meteyard has completed her "Life of Wedgwood," which is now before the public in two magnificent volumes, adorned with several woodcut copies of the best specimens of "Etrurian" ware. From Miss Jane Whately we have the "Life and Correspondence of Richard Whately, D. D., late Archbishop of Dublin." Of Charles Lamb we have had two Memoirs during the present year: the first by Mr. Percy Fitzgerald; the second by Lamb's old and esteemed friend, Mr. Bryan Waller Procter ("Barry Cornwall"). Mr. Sala has republished in a separate volume his account of Hogarth, his works, and his time, contributed to early numbers of the *Cornhill*.

In politics Mr. Gladstone has published, in a volume with an appendix, his "Speeches on Parliamentary Reform in 1866," and several pamphlets for and against the Bill of Reform have made their appearance. Lord Hobart has reproduced his "Political Essays" from *Macmillan's Magazine*. The Rev. Frederick Denison Maurice has published a treatise on "The Workman and the Franchise: Chapters in English History on the Representation and Education of the People." Mr. Shadworth H. Hodg-



son has discussed the "Principles of Reform in the Suffrage;" and Mr. Stapleton devotes two volumes to a consideration of the principles of "Intervention and Non-Intervention," in which he disapproves of the policy of Lord Palmerston. Mr. J. Lewis Farley, Fellow of the Statistical Society of London, and Corresponding Member of *L'Institut Egyptien* of Alexandria, furnishes, under the succinct title of "Turkey," a very comprehensive account of that empire. E. C. Bolton and H. H. Webber, of the Royal Artillery, have produced conjointly a work on "The Confederation of British North America." To these works on the United States and British America we may add one by Mr. Wilfrid Latham on "The States of the River Plate, their Industries and Commerce." A book of a similar kind, with reference to one of the greatest of the English colonial possessions, is the large volume by Mr. Anthony Forster, late Member of the Legislative Council at Adelaide, on "South Australia, its Prosperity and Progress."

Amongst the books of travel of the year, is a narrative of a trip "Up the Elbe and on to Norway," by "a clerk in the Waste-Paper Office," under the assumed name of "Nihil." The Rev. Mr. Joseph Waterhouse, of the Wesleyan-Methodist Conference Society, a former missionary to the Fiji Isles, has related the results of his labors in the promotion of Christianity among the Fijian people, in a volume entitled "The King and People of Fiji: containing a Life of Thakombau, with Notices of the Fijians, their Manners, Customs, and Superstitions, previous to the Great Religious Reformation in 1854." Mr. Macgregor, M. A., of Trinity College, Cambridge, has published an account of his adventures abroad, entitled "A Thousand Miles in the *Rob Roy* Canoe on Rivers and Lakes of Europe." The "Narrative of the Wreck of the *Grafton*, and of the Escape of the Crew after Twenty Months' Suffering," is a melancholy and affecting description, from the "Private Journals of Captain Thomas Musgrave," of nearly two years' sufferings endured by a whole ship's crew on one of the Auckland islands in the Southern Ocean, who were wrecked in January, 1864. Mr. Charles Brooke, Tuan-Muda of Sarawak, gives us two volumes of his adventures and experiences during a ten years' residence in that part of Borneo. Mr. Henry Blackburn has recorded what happened to him during a tour he made in the Peninsula in the autumn and winter of 1864, entitled "Travelling in Spain in the Present Day." A second book about Spain has appeared during the present year, viz., Mrs. Byrne's "Cosas de España: Illustrative of Spain and the Spaniards as they are." Of a similar character is Miss Margaret Howitt's "Twelve Months with Frederika Bremer in Sweden." Mr. W. D. Howells, a gentleman who was for some time American minister at Vienna, has given, in his volume on "Venetian Life," an admirable sketch of the domestic manners of the people of Venice, as

well as of the city itself. Mr. W. H. Bullock's work entitled "Across Mexico in 1864-'65," affords a melancholy and depressing picture of the present social condition of that country, but is doubtless a faithful description of Mexico as it was at the time he visited it. Sir Samuel White Baker, M. A., F. R. G. S., has given a valuable account of his African travels and discoveries, in two volumes, bearing the title of "The Albert N'Yanza, Great Basin of the Nile, and Explorations of the Nile Sources." Mr. J. Leyland has also published a work on a similar subject, under the title of "Adventures in the Far Interior of South Africa, including a Journey to Lake Ngami." Mr. Henry Morley provides a series of "Sketches of Russian Life before and during the Emancipation of the Serfs;" and Mr. H. B. George, editor of the *Alpine Journal*, has published a volume of his wanderings across "The Oberland and its Glaciers." Captain Spencer, in his "Travels in France and Germany," has added another to the many books of travels in each of those countries that have already been published from time to time. Of Eastern travel, we have Dr. Norman Macleod's narrative of his recent experiences in the Holy Land; Mr. Pollock Black's "Hundred Days in the East," a diary of a journey to Egypt, Palestine, Turkey in Europe, Greece, the islands of the Archipelago, etc.; Miss M. B. Edwards's "Winter with the Swallows," a picture of Algeria in the present day; Lieutenant S. P. Oliver's "Madagascar and the Malagasy, with Sketches in the Provinces of Tamatava, Betanemena, and Ankerana;" and a "Narrative of Travel from Calcutta to the Snowy Range," by "An old Indian." Mrs. Alfred Hort's "Life in Tahiti," and Mr. Pritchard's "Polynesian Reminiscences," are contributions to our knowledge of a distant and still semi-barbarous part of the world.

PHILOSOPHY received but few additions. Early in the season a brief treatise was published by Dr. Henry Travis, entitled "Moral Freedom reconciled with Causation; the Moral Basis of Social Science." Dr. Travis has exhibited no small acuteness in the discussion of his subject. Mr. Thomas Shedden, M. A., of St. Peter's College, Cambridge, has written a metaphysical work with a very strange title—to wit, "A Popular Essay on the Infinite." Some other subjects are handled in the same volume, half of which consists of a review of Mr. Mill's "Examination of the Hamiltonian Philosophy." The Rev. J. B. Heard, M. A., has handled a difficult subject, or set of subjects, in his book on "The Tripartite Nature of Man, Spirit, Soul, and Body, applied to Illustrate and Explain the Doctrines of Sin, the New Birth, the Disembodied State, and the Spiritual Body." From Mr. Simon S. Laurie we have an analytical essay "On the Philosophy of Ethics," in which the author maintains an independent position between the extreme views of the Utilitarian school of moralists and the Intuitionists. Mr. Mansel, the celebrated author of the "Bampton



Lectures" of 1858, has come to the rescue of Sir William Hamilton in a criticism on Mr. Mill's "Examination," originally published in two numbers of the *Contemporary Review*, and now republished in a small volume, with additions, under the designation of "The Philosophy of the Conditioned."

Under the head of ANTIQUARIANISM, TOPOGRAPHY, and FOLK LORE, some works of great interest were published. "Physical Geography and Geology of the County of Leicester," is the title of a work by Professor Ansted. Dr. Ginsburg has written an essay on "The Kabbalah, its Doctrines, Development, and Literature," from a consideration of which he derives certain rules for the interpretation of the Old Testament. Under the editorship of Dr. Herman Oesterley, we have had a republication of the "Hundred Mery Talys," mentioned by Shakespeare in "Much Ado about Nothing." Messrs. George E. J. Powell and Eiríkr Magnússon have translated and published a second series of their "Icelandic Legends," collected by Jon Arnason. The first series was issued in 1864, and to this second instalment is prefixed an Introductory Essay on Icelandic Superstition. "The History of Signboards from the Earliest Times to the Present Day," by Messrs. Larwood and Hotten, is a highly curious work, accompanied by copies of some of the most memorable and remarkable of the signs of London and other places, and is altogether a treasure of antiquaries. The "Remains of the Early Popular Poetry of England," collected and edited, with Introductory Notes, by Mr. W. Carew Hazlitt, is another work appealing especially to the antiquary. Mr. Henry B. Wheatley has made a quaint collection of odd expressions, such as "mingle-mangle," "splish-splash," "hugger-mugger," etc., under the title of "A Dictionary of Reduplicated Words in the English Language." Mr. Wheatley has mustered nearly six hundred of these, gathered from various parts of the country. Mr. S. Baring-Gould's "Curious Myths of the Middle Ages" is a collection of remarkable narratives, once forming part of the popular belief, and still holding their place in poetry and legend. A similar work is Mr. William Henderson's "Notes on the Folk-Lore of the Northern Counties of England and the Borders;" to which Mr. Baring-Gould has added an Appendix on Household Stories. "English Church Furniture, Ornaments, and Decorations, at the Period of the Reformation, as exhibited in a List of the Goods Destroyed in Certain Lincolnshire Churches, A. D. 1566," is the title of a laborious work, published under the editorship of Mr. Edward Peacock, F. S. A.

In the department of ESSAYS, there are two works from Mr. Ruskin. "The Ethics of the Dust" is described on the title-page as a collection of "Ten Lectures to Little Housewives on the Elements of Crystallization," and is to some extent a scientific book; yet the essay-writing manner is so constantly pre-

served, and the work is so little technical and so thoroughly literary, that it is more fitly placed under this head. Mr. Ruskin's other volume is entitled "The Crown of Wild Olive." The book consists of three lectures on Work, Traffic, and War. Art criticism has found an exponent in Mr. Henry O'Neil's "Lectures on Painting, delivered at the Royal Academy." Literary criticism has been made the subject of a book by Mr. E. S. Dallas, bearing the very fantastic title of "The Gay Science." "A Manchester Man" reprints from *Fraser's Magazine* certain "Free Thoughts on Many Subjects." Of quite another order is the volume by Mr. Matthew Brown, called "Views and Opinions;" while in the "Priest and Parish" of the Rev. Harry Jones, Incumbent of St. Luke's, Berwick Street, Soho, we have an account of what a clergyman in the pursuit of his calling and in the conduct of his daily life may, should, and should not do. The Duke of Argyll has reprinted, with the title of "The Reign of Law," some of his periodical papers and Addresses to the Royal Society of Edinburgh; and under this heading of "Essays" we should perhaps include a charming production by Mr. Charles Knight, "Half-hours with the Best Letter-writers and Autobiographers," a companion to the "Half-hours with the Best Authors."

The leading work in FICTION, which the year 1866 brought forth, was Miss Evans's "Felix Holt, the Radical." Perhaps the next novel of importance to "Felix Holt" is Mr. Wilkie Collins's "Armada." In strong contrast with this highly-wrought tale is the quiet, simple story of every-day life, "Wives and Daughters"—the last work of the lamented Mrs. Gaskell. "The Belton Estate," by Mr. Anthony Trollope, was reproduced, early in the year, from the pages of the *Fortnightly Review*, where it had appeared in successive numbers; and toward the close of 1866 Mr. Trollope commenced a serial story in sixpenny weekly numbers, called "The Last Chronicle of Barset." Mr. T. Adolphus Trollope has published a novel of Italian life, entitled "Gemma;" and Mr. Shirley Brooks has begun a story in monthly parts, with the designation of "Sooner or Later." Mr. Alexander Smith, the poet, favored us with "Alfred Hagart's Household." The latest work of Mrs. Craik (Miss Mulock), "A Noble Life," is intensely moral in its character. Mr. E. Yates has given us "Land at Last" and "Kissing the Rod," and Mr. Whyte Melville has published a tale of French life in the last century, called "Cerise." "The Lady's Mile" is one of Miss Braddon's fictions; and the authoress has already commenced another in her own magazine, *Belgravia*. Mrs. Oliphant has added a new section to her admirable series of fictions, "The Chronicles of Carlingford," and from the same authoress we have also "Madonna Mary." Mr. J. Sheridan Le Fanu has published a story called "All in the Dark." Miss Sarah Tytler, author of "Citoyenne Jacqueline," has gathered together, under the title of "Days of Yore,"



several of her tales and sketches. Mr. H. Sutherland Edwards's "Three Louisas" is an exposition of "life" behind the scenes of the Opera-house, and in the diplomatic circles. Mrs. Henry Wood's "Elster's Folly" is hardly worthy the authoress's reputation. From "A New Writer" (whom rumor pronounces to be Miss Dickens) we have a tale of domestic life, called "Aunt Margaret's Trouble." Mr. R. D. Blackmore's "Cradock Nowell" is a tale of the New Forest. Mr. Gilbert's "Dr. Austin's Guests" is a species of sequel to "Shirley Hall Asylum," consisting of some singularly ingenious studies of mental aberration. Mr. Lever has published a romance of Irish life—"Sir Brook Fossbrook."

In POETRY, Mr. A. C. Swinburne's "Poems and Ballads," published in the summer, have provoked more discussion in the critical world than any volume of verse issued for many years; and this not simply on literary grounds, but even more on grounds of morals. Mr. Swinburne has also appeared as a critic of poetry, in an introduction to a selection from Byron; and he promises us an "Essay on the Life and Works of William Blake, Poet and Artist." Mr. Robert Buchanan has been very active. Besides editing an illustrated Christmas volume of original verse, and translating some "Ballad Stories of the Affections" from the Scandinavian, he has published a collection of "London Poems." From Lord Lytton, not many months before he was advanced to the peerage, we had a volume entitled "The Lost Tales of Miletus," in which the author seeks to reproduce, conjecturally, those celebrated fables of antiquity which were associated with the city of Miletus, but which have been lost for centuries. He has therefore constructed some very clever and pleasing fictions from the "remnants of myth and tale" still remaining to us from the later Hellenic ages. To be "in keeping" with his subject-matter, Lord Lytton has told these stories in various classic metres, or in as near an approach to them as the English language would permit; and the result is a charming book. "The Prince's Progress, and other Poems," is the title of a volume from the pen of Miss Christina Rossetti. An anonymous writer has favored us with "a metrical drama, after the antique," on the subject of Philoctetes, the noble friend of Hercules, who was confined in the island of Lemnos, and subject to great sufferings. Mrs. Webster (who also appears as translator of *Æschylus*) has written some "Dramatic Studies;" Mr. William Stigand has produced "Athenais, or the First Crusade," a species of epic in the style of Tasso's "Jerusalem Delivered;" and Mr. Irwin, an Irish author, has reprinted, with additions, some poems, originally published several years ago. Among the translated poems of 1866, however, we must record—Dean Milman's "Agamemnon" of *Æschylus*, "Bacchanals" of Euripides, and miscellanies from the lyric and later poets of Greece; Mrs. Webster's "Prometheus Bound"

of the same poet; Mr. Cartwright's "Medea," and other plays of Euripides; Mr. Hugh Seymour Tremenhoe's Odes of Pindar; Mr. John Conington's "Æneid" of Virgil; Mr. Ralph Griffith's "Idylls from the Sanskrit;" Sir John Bowring's poems of Petöfi, a Hungarian writer; and the minor poems of Goethe.

We can make but brief notes of the works in SCIENCE and THEOLOGY. In SCIENCE, we have had two volumes of Professor Owen's work on "The Anatomy of Vertebrates," including fishes, reptiles, birds, and mammals; Mr. Samuel Lain's "Prehistoric Remains of Caithness," to which Professor Huxley has added notes on the human remains of that district; Lieutenant-Colonel Forbes's "Early Races of Scotland, and their Monuments;" a translation of Dr. Ferdinand Keller's work on "The Lake Dwellings of Switzerland;" Dr. Hartwig's "Harmonies of Nature, or the Unity of Creation;" Mr. Charles Bray's work "On Force and its Mental and Moral Correlates;" Mr. Evan Hopkins's "Geology and Terrestrial Magnetism;" a further volume of the "Memoirs of the Geological Survey of Great Britain;" translations of M. Louis Figuier's "World before the Deluge," and "Vegetable World;" Professor Stephens's "Old Northern Men of Scandinavia;" Sir John Herschel's "Familiar Lectures on Scientific Subjects;" and Mr. Fairbairn's "Treatise on Iron-Shipbuilding," and "Useful Information for Engineers," etc.—In THEOLOGY, a great deal of attention has been paid throughout the year to the anonymous work, "Ecce Homo!" a book which has sold to an extent which reminds one of the success obtained by "Essays and Reviews." Mr. Merivale's "Conversion of the Northern Nations," is a work partaking of the nature of both history and theology. The same may be said of Dean Stanley's very learned "Lectures on the History of the Jewish Church," of which Part II. appeared in 1866. Bishop Colenso has translated Dr. Oort's "Worship of Baalim in Israel," a work of great erudition, and of no little interest to the scholar. Rev. F. D. Maurice published "The Conflict of Good and Evil," and from Dr. Manning, the Roman Catholic Archbishop of Westminster, "The Reunion of Christendom." Dean Alford has published vol. ii., part ii., of "The New Testament for English Readers," consisting of the Epistle to the Hebrews, the Catholic Epistles, and the Revelation; and the Rev. W. L. Blackley and the Rev. James Hawes have made an adaptation of Bengel's "Gnomon," under the title of "The Critical English Testament." Dr. George Moore, of the London College of Physicians, has considered, "from a Christian point of view," the "First Man, and his Place in Creation." We have had several works on Ritualism, one of which is by Dr. Vaughan; a good many replies to M. Rénan's work on the Apostles; and various books and pamphlets on the "Eirenicon" of Dr. Pusey, of which the most remarkable is Father Newman's "Letter" to the author.



LOUISIANA. The first day of the regular session of the Legislature was January 22d, to which that body had adjourned from the extra session on the previous December 22d. On January 24th a motion was offered in the House to appoint a special committee of both Houses to report any necessary changes to the Constitution of 1864. The mover stated that his object was to avoid all unnecessary discussion of the question of convention or no convention. A debate ensued, in which some members urged the calling of a convention as an imperative duty in the momentous interests of the State, declaring that the Constitution of 1864 was not binding on the people of the State. Others asserted its binding force, otherwise the General Assembly was a nullity and the members had no right to their seats. Some looked upon it as a useless luxury, as the State would not, at present, be admitted into the Union. No action was taken on the resolution, but it served to develop a conflicting sentiment in the House on the validity of the Constitution. A bill was passed authorizing the issue of six per cent. certificates of indebtedness on the part of the State to the amount of \$1,500,000. A bill was also passed, directing that the election for municipal officers of the city of New Orleans, should be held at an earlier date than was fixed by the charter, and on March 12th ensuing. This developed still more clearly the division of sentiment in the Legislature, one part representing the disenfranchised portion of the people seeking to recover their lost rights; and the other representing the enfranchised minority, who refused to adopt such measures as would transfer the control to those late in arms. On February 9th the governor sent to the Legislature a message vetoing this bill. He urged that the necessity of anticipating the fixed time for the election was not apparent; he wished proper guaranties that it would be in his power to see the laws faithfully executed before holding a municipal election. These guaranties were such as suitable amendments to the city charter with a radical revision of the registry and election laws of the parish of Orleans would give. He further said:

It is within the knowledge of all citizens resident here before the war, that for years preceding the rebellion, elections in the parish of Orleans were a cruel mockery of free government. Bands of organized desperadoes, immediately preceding and during an election, committed every species of outrage upon the peaceful and unoffending citizens, to intimidate them from the exercise of the inestimable privilege of freemen, the elective franchise. A registry of fourteen thousand names, in the days alluded to, could scarcely furnish one-fourth of that number of legal votes at the polls, although six or seven thousand votes were usually returned as cast. To guard against the possibility of a return to such a condition of affairs, many citizens of integrity, intelligence, and loyalty to the Union, who believe that a new danger will now be added to the preëxisting ones, in the expected rapid increase of population, advise a reconsideration of the electoral qualification in all municipal elections for the future; holding that experience has shown conclusively that they cannot

be confused with the political contests of the times with safety to the true interests of the country. This view is worthy of respectful consideration.

Preëminently demanding the serious attention of Legislators in the altered circumstances of our State and its institutions, is the unequal distribution of the white inhabitants of the Commonwealth, by means of which a perilous preponderance of political power is placed at the disposal of the ever-changing population of its chief city. At this moment it is safe to affirm, there is a larger white population in the parish of Orleans than in all the other parishes of the State combined, and the likelihood, nay, the certainty is, that for years to come the increase will continue to be largely in favor of New Orleans. I mention this in no spirit of unkindness to our Queen City.

I entertain none of that jealousy of her sometimes charged to exist among agricultural people like myself; but while I desire with my heart to see her great, prosperous, and free, and will do all in my power to render her so, with all my consent, she shall never be endowed with political power to the transient degradation or lasting injury of the rest of the State. A just equilibrium must be required and retained. If the electoral system, applicable to the parish of Orleans, is so constituted that a subsidized scum can diminish by violence and intimidation one-half of the electoral strength, the same dangerous agency, when their employers have a purpose to serve, can double the legal vote by frauds familiar to such men. Before the usual time, indicated by the charter for an election of municipal officers, the Legislature can secure the State against the dangers to be justly apprehended by the enactment of suitable laws, and remove other minor objections that are urged.

The message was made the special order of business in the Senate for February 13th. The proceedings are thus reported in the official paper:

Mr. Hough opposed the adoption of the bill, as being in violation of Article 119 of the Constitution, which provides for the mode of amending existing laws, holding this act to be an amendment of the City Charter.

Mr. Duvigneaud sustained the previous speaker, and wanted laws passed which would secure a fair election before ordering one, urging at the same time, that the regular time for the city election was so near that it would be better to await that period, and in the mean time amend the city charter and election laws.

Mr. Mohan was astonished that the judge should oppose the bill, when it was shown by the crowded lobby that his constituents were anxious to be reinstated in their constitutional right of appointing their own municipal officers.

Mr. Duvigneaud interrupted the gentlemen on the privilege of not being subject to personalities.

After a shout of "go on" from the galleries, and a reprimand from the President for the shout, Mr. Mohan continued to urge the adoption of the bill, the veto of the Governor notwithstanding.

Mr. Gordon answered the objection of Mr. Duvigneaud, who said that the present charter and constitution of the State were incompatible, and showed that all laws incompatible with the constitution were no laws at all.

Mr. Kenner said the constitutional scruples against the bill would not hold water. The bill was not an amendment, but only intended to bring the suspended rights of the people under the charter into action, and to fill vacancies.

Mr. Eagan thought the Governor ought not to oppose his will to the deliberate action of both Houses without showing some cogent reasons, which were wanting in his message.



The bill was passed, notwithstanding the veto of the Governor, with the requisite two-thirds majority, and only three votes against it.

The bill was then sent to the House with a hurrah from the galleries.

In the House, a message from the Senate was received, informing the House that the Governor had vetoed the city election bill, and that the same had passed the Senate by a vote of two-thirds of the Senators elected.

Mr. Scanlan said he would vote for the bill, although his name had been placed on a list of members, said to be for sustaining the veto.

Mr. Scanlan remarked that the Government in Washington is in favor of restoring civil government, and that the objections of the Governor have no foundation in law or in reason.

Mr. Austin considered the action of the Governor as an attempt to deprive the people of New Orleans of their rights.

Mr. Williamson thought some of the objections assigned by the Governor absurd, but the Governor would not veto a Constitutional Convention bill.

Mr. Stille explained that he thought the bill to be in violation of article 119 of the Constitution.

The bill passed with 93 yeas, and 8 nays.

The preamble of the act is as follows :

*Whereas*, By the laws consolidating the city of New Orleans, and providing for the government of said city, and the administration of its affairs, it is expressly provided that the Mayor, Controller, Street Commissioner, Recorders, Aldermen, and Assistant Aldermen, shall be elected by the people of said city ; and, whereas, the present incumbents hold commissions of a temporary nature, granted only for the purposes of the time being ; and, whereas, it is eminently proper that the municipal government of said city should be again committed to the people, under and in accordance with the charter of said city ; therefore—

The sections of the act prescribed the time when the election should be held, and the officers to be chosen, etc.

Subsequently, on February 23d, a bill was passed amending the city charter, in conformity with this election act ; ayes, 52 ; nays, 23, in the House. The only objection urged was, that it was like a compromise with the Governor. A joint resolution was also passed and signed by the Governor, expressive of loyalty and the confidence of the State in President Johnson, with the unanimous pledge of the members to support him.

In the House, on February 19th, a joint resolution was adopted for the appointment of two members to deliver the following resolutions of the Legislature to the President :

*Whereas*, In the debates upon the question of reconstruction in the National Congress, the enemies of the policy of President Johnson are endeavoring to mislead public opinion by the grossest misrepresentations of the opinions and sentiments of the people of this and other Southern States ; therefore,

*Be it resolved by the Senate and House of Representatives of the State of Louisiana, in General Assembly convened*, That as Representatives recently elected by the people of this State, and being fully conversant with their opinions and sentiments, we do declare that they have with unparalleled unanimity accepted the results of the war as a final settlement of the questions at issue therein ; that there does not exist an intention or desire to reopen the agitation of those questions ; that they acquiesce in the abolition of slavery as an accomplished fact, and that they are

ready to extend to the late slaves the protection of the laws in the enjoyment of their rights ; that instead of entertaining any hostility to the negro race in the Southern States, they hold for them the kindly feelings which grew out of their former relation to the white race, and recognizing it as their interest as well as duty to do whatever is proper to advance them in intelligence, morality, and religion ; that the professions of the people of Louisiana, that they are willing to subscribe to the national authority and constitutional government of the United States, are sincere and unqualified, and that any accusations made in contradiction of the above statement, from whatever authority, we pronounce to be without foundation in fact, and are infamous attacks upon the honor, courage and good faith of the people of Louisiana.

*Be it further resolved*, That the statements made in the foregoing resolutions are made in no spirit of slavish supplication, nor of shameful contrition for the past, nor of hypocritical devotion to our enemies ; but to vindicate the manhood and honor of our people from the slanders pronounced against them by their radical enemies at home and abroad, and for the purpose of convincing every truthful and magnanimous mind, that to continue to deprive Louisiana of her constitutional right of representation in Congress cannot be justified by any consideration of national security, or of protection to the late slaves in their rights as freedmen, but must rest solely upon the spirit of revenge and lust of illicit power on the part of the political charlatans and deluded fanatics who have not shared the dangers of the battle-field, nor acquired the wisdom of the statesman, unlearned to appreciate the virtues and magnanimity of either the Northern or Southern soldiers.

In compliance with the act amending the city charter above-mentioned, Governor Wells, on March 6th, issued his proclamation for an election, on March 12th, for Mayor, Controller, Street Commissioner, Recorder, nine Aldermen, and fifteen Assistant-Aldermen. So much of this proclamation as declared the qualifications of voters was as follows :

Every white male who has attained the age of twenty-one years, and who has been a resident of the State twelve months next preceding the election, and the last three months thereof in the parish in which he offers to vote, and who shall be a citizen of the United States, shall have the right of voting.

In addition to the foregoing qualification, every elector is required to produce the amnesty oath prescribed in the President's proclamation, either of the 8th of December, 1863, or that of the 29th of May, 1865, sworn to and subscribed by him before competent authority, before he can be registered.

I do solemnly swear or affirm, in the presence of Almighty God, that I will hereafter faithfully defend the Constitution of the United States and the Union of the States thereunder, and that I will, in like manner, abide by and faithfully support all laws and proclamations which have been made during the existence of the rebellion with reference to the emancipation of slaves. So help me God.

This oath is imperative on and after the 29th day of May, 1865, and will be rigidly enforced. It will be understood, at the same time, that those who are excluded from the benefits of this amnesty oath, by any of the list of exceptions contained in the proclamation, will not be allowed to vote unless specially pardoned by the President.

In all other respects the election will be conducted in accordance with law.

The election took place on the 12th. "It was quietly conducted," says the *New Orleans Times*, "there being no disturbance to speak of in any portion of the city." The National Union can-



didates for recorder in both the third and fourth districts were elected, and in the second and third districts two aldermen and four assistant aldermen were elected. With these exceptions the entire national democratic ticket prevailed.

March 19th was the day for elected city officers to be inaugurated, when the following dispatch and orders were made public :

WAR DEPARTMENT, March 17, 1866.

*To John T. Monroe :*

Your telegram of to-day just received. In answer thereto, I send you a copy of the telegram sent by me to Mayor Kennedy, in regard to the Mayoralty of New Orleans :

WASHINGTON, D. C., March 16, 1866.

*Hon. Hugh Kennedy, Mayor of New Orleans, La. :*

I have no instructions to give in regard to surrendering the Mayoralty of New Orleans to the person who has been elected to fill that position.

We have no information showing the election was not regular, or that the individual who has been elected cannot qualify.

In the absence of such information the presumption is, that the election has been according to law, and that the person elected can take the oath of allegiance and loyalty, if required. ANDREW JOHNSON,

President of the United States.

[Extract.]

HEADQUARTERS, DEPARTMENT OF LOUISIANA, }  
NEW ORLEANS, LA., March 19, 1866. }

*Special Orders, No. 63.*—\* \* \* \* \* 2. It appearing that John T. Monroe and James O. Nixon, who received respectively, at the late municipal election, a majority of the votes for the offices of Mayor and Alderman, may come within the classes of exceptions mentioned in the President's Proclamation of Amnesty, neither having received a special pardon, they are suspended from the exercise of any of the functions of those offices until their cases can be investigated and the pleasure of the President be made known ; but they will be allowed to take the oath of office, and the Mayor elect will be allowed to administer the usual oath to the persons elected.

The remaining persons elected will, upon complying with the requirements of the Constitution and laws of the State, be inducted into office, and the municipal government of the city as thus constituted, and with the two exceptions above mentioned, is declared to be organized and in full force and vigor.

By order of Major-Gen. E. R. S. CANBY.

WICKHAM HOFFMAN, A. A. G.

Official : NATHANIEL BURBANK, 1st Lieut., A. A. A. G.

[Extract.]

HEADQUARTERS, DEPARTMENT OF LOUISIANA, }  
NEW ORLEANS, LA., March 19, 1866. }

*Special Orders, No. 63.*—\* \* \* \* \* 3. J. Ad. Rozier, Esq., is appointed Mayor of the city of New Orleans, pro tempore, and will act in that capacity until the municipal Government of the city is organized, as provided for by the 15th section of the City Charter, in the case of the sickness or temporary absence of the Mayor. \* \* \* \* \*

By order of Major-General E. R. S. CANBY.

WICKHAM HOFFMAN, A. A. G.

Official : NATHANIEL BURBANK, 1st Lieut., A. A. A. G.

The Mayor elect was permitted only to take the oath and to administer it to other persons. The Mayor *pro tem.* the next day gave place to an "acting" mayor chosen at the same election to perform the duties in the absence of the Mayor. The charges brought against Mayor Monroe were that he "had uttered rebellious language after the city had been captured by

the Federal troops, and that he refused the oath of allegiance." On May 15th, the Mayor-elect sent the following communication to the Board of Assistants :

MAYORALTY OF NEW ORLEANS, }  
City Hall, May 15, 1866. }

*To the Hon. the Assistant Board of Aldermen :*

GENTLEMEN: The President of the United States having caused a revocation of the military order suspending me temporarily from the exercise of the functions of Mayor, it becomes my duty to formally communicate to you that I have again taken my seat, and entered upon the discharge of the duties of the office to which I was elected by the suffrages of the citizens of New Orleans.

It is well known to your honorable body that in again inaugurating civil rule in the various departments of the municipal government under circumstances familiar to all, no inconsiderable labor will be required at the hands of the Mayor, and the concurrent Boards, in the passage of such laws as may be necessary for the welfare of the corporation and the people at large.

Desirous that the utmost harmony should prevail in the administration of the city government, I beg to assure you, on my part, that it will afford me both pride and pleasure to zealously coöperate with you in originating, enacting, and carrying into execution such measures as may best conduce to the public interest. \* \* \* \*

Respectfully, JOHN T. MONROE, Mayor.

Measures were taken at the same time by the unsuccessful candidates, to contest the elections of the recorders of two or three districts of the city—chiefly on the ground that a portion of the votes cast for them were illegal. It was asserted that the voters were not residents of the State for twelve months next preceding the election ; that the new registry law was made because the former voters were not, on their return from the war, citizens of the United States ; and that one who is not a citizen of the United States can neither vote nor hold office. On the contrary, it was asserted that this point was not at all considered in the gubernatorial and State election held a few months previous ; that three-fourths of the 28,000 who voted at that election had been in the State only a few months preceding the election ; and that should all these votes be declared illegal, and their amount be subtracted from the sum total of the returns, a miserable minority would remain to manage the affairs, control the interests and manipulate the public funds of Louisiana. These contestants were unsuccessful.

The changes in the municipal government of New Orleans during the previous six years are thus stated : "The military occupation of the city superseded the functions of the mayor and the military post commandant became the city chief magistrate. Brig.-Gen. George F. Shepley was the first to administer the office after John T. Monroe. The successor of Shepley was Godfrey Weitzel, whose administration had a short run, and was then succeeded by Jonas H. French, Provost Marshal and Acting Mayor, who was succeeded by Captain Miller, who was succeeded by Captain Hoyt, who was succeeded by Hu. Kennedy, who was displaced by S. Quincey, who was succeeded by Hu. Kennedy,



reinstated, who was succeeded by the elected Mayor, John T. Monroe."

In the Legislature on March 8th an act was considered to take the sense of the people on the expediency of calling a convention to form a new constitution, and to provide for the election of delegates and for the holding of the convention. It was urged that it was the duty of the members to act promptly on this question because they had been elected on the pledge of calling the convention. Others doubted the propriety of agitating the subject of calling a convention at the time. The same question was discussed at the late extra session and deferred by a very large vote until the regular session, because it was then expected the position of the State would be in a short time changed. This had not been the case, and it would be detrimental to the interests of the State to press the bill at the present time. On the other hand it was further urged that it was the duty of the General Assembly to call a convention for the purpose of renewing their relations with the Federal Government; for reducing the salaries of the Governor and other officers of the State. The blanks were then filled providing that the votes should be cast on the first Monday of May, and that the convention should meet on July 2, 1866. The bill was then ordered to be engrossed, yeas 62; nays 24. On the next day, upon the motion to read the bill for the third time, a dispatch was read from the commissioners sent by the Legislature to Washington, wherein those gentlemen said that, "after interviews with the President and Secretary Seward they are thoroughly convinced that further agitation of the convention question will seriously embarrass the President's reconstruction policy." The bill was then laid on the table.

The facts relative to the Constitution of the State, as will be seen by reference to previous volumes of this work, were, that it was framed by a comparatively insignificant portion of the State, and it has since received the virtual endorsement by the whole people, by elections held under it, and by two sessions of a general assembly composed of representatives from every parish. Of the legality of their action and the binding force of the laws they passed, the members of the Legislature could not, certainly, entertain a doubt. The entire State organization, executive, legislative, and judicial, was framed in accordance with the requirements of the Constitution of 1864. The ordinance of secession repealed by that constitution was everywhere regarded as a nullity. The Constitution of 1864 also reaffirmed most of the provisions of that of 1852, and further authorized the General Assembly of the State to make such amendments as might be deemed necessary, provided they were properly submitted to the people and received their indorsement. At the same time, among the people of the State there was a very large body decidedly opposed to the Constitution of 1864—which was uni-

versally conceded not to be what it should be—respecting the recalling of the convention which framed that Constitution. The New Orleans *Times*, February 19th, thus expresses its views:

As to the talk about recalling the Convention of 1864, we can regard it only as idle rumor hatched in the unbalanced brain of some reactionary dreamer. We cannot for a moment suppose that the president of that convention could be induced to call the members of that body again together on any suggestion less authoritative than that of President Johnson.

On the evening of March 21st, the members of the Legislature assembled in the Senate Chamber to listen to a report relative to the effect of the mission of members of the General Assembly to Washington. One of the delegates (Mr. Eagan) made a statement which is reported as follows:

In pursuance to their mission they hastened to Washington City, and on their arrival there were on the first day informally introduced to the President by the Hon. Randall Hunt. The Commission, on the next day, had a formal interview with the President, and it was evident on every occasion that the President was not only highly pleased with the action of the State in sending commissioners, but that he also takes a deep interest in the future of the State of Louisiana.

The commissioners stated that the people of Louisiana accept the situation, "the result of the war," and are willing to vindicate their character of good citizens under republican institutions and the Constitution of the United States.

The President in the course of his remarks stated that he believes the loyalty of the people of Louisiana to be sincere. The President further expressed himself to the effect that he would not yield to the importunities of the party which clamors to sustain them in their efforts to have a separate government for the North and another for the South.

Mr. Eagan felt that a set of men who feel the power wielded by them over the people sliding from their grasp, use all their influence at present against the President.

An interview to the commissioners was also granted, with one of the members of the Cabinet, which was very satisfactory, although it was on the same day when that functionary received the representatives of foreign states.

Mr. Eagan, in a *resumé*, dwelt upon a remark of the President when they were pleading the cause of this State, "leaving no stone unturned." The significant remark of the President was to the effect: "Gentlemen, I am glad to see that you know what you are about."

Mr. Eagan amusingly related that he was called upon by representatives of the extreme North to assist them in their grand Northern Pacific Railroad scheme.

The commissioners were struck with a feature in the debates of the houses of Congress, showing that the disputes on all questions were between the West and Northeast, and the gentleman felt glad that the South did not come in to have the blows saddled on its back between the combatants.

The President hoped now, after the surrender of the military, to be able to recognize all the rights of the loyal people, and is still confident of a favorable result.

The session of the Legislature closed without any further action on the subject of a constitutional convention, on March 22d. A large number of local acts were passed during the session. An act was also passed providing for



an election in each parish of the State for district attorney, clerk of court, recorder, and some other local officers. The first Monday in May was appointed to be the day of election. The qualifications of voters were the same as stated above in the proclamation for the election in New Orleans. The election passed off quietly and its effect was to place these parish offices in the charge of persons elected by the people. In New Orleans the two contestants for the offices were the National Democratic and National Union organizations. There was still a third organization, called in New Orleans Radicals, as composed of persons in sympathy with the most advanced views of the Republicans in the Northern States. This organization took no part in the recent election. A public meeting of its members was held on January 26th, at which the Hon. B. F. Flanders was president. The first speaker was Mr. Shannon, U. S. Commissioner, who explained their views and position by saying:

"That the Union men were looked down upon with scorn and contempt, and their presence on any occasion was the signal for a sneer from the crushed aristocrats of the South. He expressed his pleasure that there were even a few in a country where it was thought no Union men existed who could come forward for the purpose of expressing their sentiments regarding the affairs now being discussed in Congress. He stated that he was a Republican, and had been one from the very first. He expressed a pride that he belonged to a great party who had performed a great good for the country. In mentioning some of the difficulties under which they contended, he mentioned an article of one of the city papers, with the startling heading, "Radicals, Halt!" and expressed his belief that many of the more timid ones were prevented attending the meeting for fear of the consequences. He stated there was once a time in this country when Republicans could not talk, but now being in the majority they must rule. They had accepted the gauge of battle offered by the South; had won and would rule. They could afford to be called Yankees and abolitionists; they could afford to be sneered at and called names; they had the loaves and the fishes in their hands and intended to keep them."

The next speaker was Dr. Dostie, whose remarks were thus reported:

He congratulated the people that the gigantic rebellion was crushed; that its leaders languished in prison, and that the country was restored to its former tranquillity, minus slavery and sectional feeling. The progressive age demanded the overthrow of a Southern aristocracy in the liberation of four millions of people, and the best blood of the land purchased it.

Singular to relate, the people of the South forget that slavery no longer exists, and are even now struggling for position in the Government.

He went on to show that President Johnson would permit none to occupy position, and they would be compelled to quit their political heresies as they had quitted the field. The Republican party could not endure to lose the precious boon of liberty at the

hands of what is left of an insolent aristocracy. They stand upon the broad platform of an equality of rights. It is said that negro suffrage is impracticable, owing to the ignorance of the race.

The speaker went on to show how rapidly they were being educated, and with what avidity they sought after knowledge. Abraham Lincoln, in a letter to Governor Hahn, congratulated him on being the first Governor of Louisiana.

In our own beloved land, we have our Banks and our Butlers, and a hundred others, all worshippers at the altar of liberty and universal suffrage.

The same is the opinion entertained by all great men abroad. In Brazil, in Jamaica, and the French West Indies, all free persons of whatever color, are allowed to vote.

In five New England States negroes have been voting since the Revolutionary War.

George Washington cast his ballot in the same box with a colored man. Thirty years ago in nearly every State colored men had a right to vote.

He spoke of the tyranny of the Opelousas council, which curtailed the privileges of the colored men even now.

He concluded by entreating the friends of the party to stand together, and defend the State of Louisiana from the wretched condition into which it was sinking.

After the conclusion of the speech it was ordered to be published.

Their next active efforts were devoted to secure "universal suffrage" in the State, which should include all the blacks and exclude all the whites who had participated in hostilities against the United States. In their view Louisiana was a Territory of the United States, and by them Judge Warmoth was elected a delegate from the Territory to Congress, which convened December 4, 1865, but his claims were not brought before that body. Viewing Louisiana as a Territory, they deemed it to be necessary that it should be reorganized and become a State of the Union with universal suffrage. To effect this object demanded the calling and assembling of a convention, for the purpose of forming a State constitution for the Territory of Louisiana. At the weekly meetings of the Central Executive Committee this subject was discussed. In the report of the meeting of March 29th in the daily *Tribune*, the organ of the committee, some of the speakers expressed the following views. Mr. Horner said:

We are attempting to bring back the State of Louisiana into harmonious action with the General Government; and by the General Government we mean the three branches—legislative, executive, and judicial. As to the executive, the committee have declared themselves in hostility with it. We have then sought aid from the legislative. Congress knows our wants and our position. If it stands aloof and fails to relieve us, it will be recreant to its duty. It is bound to act its part in the great work of reconstruction. Will Congress shuffle the responsibility upon us, and throw upon us the odium of a failure? The plan now before you contemplates the complete setting aside of the present constitution. We will have against us the whole power of the executive. Why, Congress, backed by a majority, perhaps, of the people, is itself helpless and powerless. It cannot pass a single measure over the veto of the President. Will it stick to us? The case of Kansas was not parallel; no colored man was there permitted to vote.

Mr. Crane showed the difference between his own



plan and that of Judge Warmoth. The duty of initiating a move in opposition to all the powers of the executive, would be the death-warrant of the President of your committee. Have you the power to go in another State, in Ohio, for instance, and call upon the people to set up a new government? The Governor of Ohio would arrest forthwith the promoters of such a move. Will not the position be the same in Louisiana? It will be worse. In Louisiana you will be arraigned before the court-martial. The matter is, therefore, very important, and however good be the motives of those who uphold the resolutions, we have to look to the consequences. The cause of liberty is sometimes jeopardized by the very men who profess to promote it. He knows men who now profess to be your friends, and who rode in cars in New Orleans, and had for their motto, "no negro equality." His suspicions are aroused when he sees men advocating the cause of liberty who have slain liberty before. He alluded to the past events of our State history to illustrate that sentiment. In conclusion, he stated that he has always done his duty to the cause, and is ready to fall with it.

Mr. Waples thought that the people of the Territory could act in their primary capacity and get up a Constitution without asking the consent of Congress or anybody else. He pronounced the present Constitution a mockery, and declared that "the black people would have been justified all the time to claim their rights," and added: "But here we have to bear in mind that Congress cannot pass a bill without the coöperation of the President, and he seems bent upon vetoing all measures in favor of the emancipated. There are a great many things which are right but which are not expedient. The whole question is in the expediency." The case, according to his view, was surrounded by difficulties, and he seriously doubted the ability of his colored friends, even with the Central Committee at their back, to carry a Constitution against the authority of all the powers that be.

"When we take this matter in hand," said he, "let us put it through. But it is not yet quite time to determine upon claiming our rights at all hazards. It is said that acts of violence would be the best evidence that the policy of the President has been a failure; but we would stand in the position of a man who undertook to build a house and did not calculate the cost. We have already acted our part; we have sent Judge Warmoth to Congress. Why did not Congress act upon that? They had the power to admit him; the House could do so without the coöperation of the President. On the contrary, to have the State admitted will require the signature of the President.

The plan of calling a convention to adopt a constitution for Louisiana was finally given up, and the more favorable project of reassembling the Convention of 1864 adopted, by which the existing constitution of Louisiana was formed, and subsequently adopted by the voters. The agitation of this measure was at first received by the press and the public generally with derision, but as it became manifest that those desiring to effect the reassembling of the convention were seriously in earnest some excitement was produced. Finally, the President *pro tem.*, Judge Howell, not the President, Judge Durell, of the Convention of 1864, issued an order reconvening the same on July 30th. The convention, previous to its adjournment, passed a resolution providing, "that when this convention adjourns, it shall be at the call of the President, whose duty it shall be to reconvoke the convention for any cause, or in case the

constitution should not be ratified, for the purpose of taking such measures as may be necessary for the formation of a civil government in Louisiana. He shall also in that case call upon the proper officers of the State, to cause elections to be held to fill any vacancies that may exist in the convention in parishes where the same may be practicable." The vacancies were fifty-two in 1864, from twenty-one parishes. This movement was noticed before the grand jury by the judge, presiding in the only court of record sitting in New Orleans, which had jurisdiction of crimes and offences against the laws of the State. The Judge (Abell) was a member of the Convention of 1864, and thus expressed his views to the jury on July 23d:

GENTLEMEN OF THE GRAND JURY: You ask for more specific instructions relative to your powers to suppress unlawful assemblies, dangerous to the peace and good order of the State, such as is advised to take place on the 30th instant. Every thing is comprehended in the instructions already given.

The Constitution of 1864 is the fundamental law of the State, and furnishes ample protection for its supremacy, and can only be altered or amended in accordance with the provisions contained in the instrument itself. The oath required to support a constitution by officers of a State who are intrusted with its admission is one of the guaranties that it will not be betrayed. In some governments, a violation of that oath would not only be perjury, but treason, which being a higher grade of felony, perjury is merged in it.

Under the Constitution of this State, a violation of oath of office would be perjury and nothing more. I, and every officer in the State of Louisiana, have sworn to support the constitution, and substantially make oath that it shall not be altered in any other manner than is provided in the 17th article of that instrument.

I now charge you that a violation of that oath is perjury in the officer or officers who violate it, and subornation of perjury in all who procure it to be done.

The 147th article of the constitution of 1864, made by the late convention, clearly points out the mode of amending it. It reads: "Any amendment or amendments to this constitution may be proposed in the Senate or House of Representatives, and if the same shall be agreed to by a majority of the members elected to each house, such proposed amendment or amendments shall be entered on their journals, with the yeas and nays taken thereon. Such proposed amendment or amendments shall be submitted to the people at an election to be ordered by the said Legislature, and held within ninety days after adjournment of the same, and after thirty days' publication according to law; and if a majority of the voters at said election shall approve and ratify such amendment or amendments the same shall become a part of this constitution. If more than one amendment is submitted at a time they shall be submitted in such manner and form that the people may vote for or against each amendment separately."

This, gentlemen, is the only mode pointed out by the constitution, and it being fully ratified by the people, it can only be altered by their own consent expressed at the ballot-box or by the Legislature.

By the second clause of article 149 it is declared that "all laws in force at the time of the adoption of this constitution, and not inconsistent therewith, shall continue as if the same had not been adopted."

These laws furnish ample vindication for the integrity of the constitution. Among the laws thus adopted, by the convention itself, are several sections against breaches of the peace, misdemeanor in



office, unlawful assemblies, vagrancy, perjury, and subornation of perjury. And it is my duty as one of the conservators of the peace and Judge of the Criminal Court, and you as a grand inquest of the parish of Orleans, and of all other peace officers, to use all lawful means to prevent any unlawful assembly or assemblies, and such as would have a natural tendency to create a breach of the public peace.

Any attempt to alter the constitution of the State in defiance of its provisions, by any body of men, unauthorized by the provisions of the constitution, or emanating directly from the people through the ballot-box, is illegal and unconstitutional, and punishable by law.

The grand jury under these instructions were prepared to find a bill of indictment against such members of the convention as might assemble, when warrants would be issued and placed in the hands of the sheriff for their arrest. Among the reports soon after afloat and generally credited was one, that General Baird, in command during the absence of General Sheridan, had informed the Mayor that if the sheriff undertook to arrest the members under a warrant from the proper legal authority, he would arrest the sheriff. The facts were stated by the Mayor to the President to be as follows:

The case was submitted to the grand jury by the Attorney-General, and in the mean time the Lieutenant-Governor and the Mayor called upon General Baird to ascertain whether, if a warrant issued upon a regular indictment were placed in the hands of the sheriff for the arrest of the members of the convention, the military would interfere. The answer was that the sheriff himself would be arrested, and that the convention, meeting peaceably, could not be interfered with by the officers of the law.

It is proper here to state that the Mayor had previously addressed a note to General Baird, inquiring whether he would be interfered with by the military in case he would proceed to disperse the convention as an unlawful assemblage.

The answer to this communication was that the meeting of the convention being peaceable could not be suppressed by the Mayor, and that the military authorities would prevent the interference of the civil authorities. It was suggested by the Lieutenant-Governor that the city authorities, under those circumstances, did not intend to interfere to prevent the meeting of the convention. But he proposed that in case a warrant of arrest were placed in the hands of the sheriff, the latter, before attempting to execute it, would call on the general, who thereupon would indorse his objections, and the matter would at once be submitted to the President. This arrangement was satisfactory to both parties. On the same day the Attorney-General and the Lieutenant-Governor telegraphed to the President to ascertain whether the process of the court to arrest the members of the convention could be thwarted by the military.

The answer of the President was as follows:

WASHINGTON, July 28, 1866.

*Albert Voorhees, Lieutenant-Governor, of Louisiana:*

The military will be expected to sustain, and not obstruct or interfere with the proceedings of the courts. A dispatch on the subject of the convention was sent to Governor Wells this morning.

ANDREW JOHNSON.

On the other hand, Governor Wells, in compliance with the order of the President *pro tem.* issued his proclamation on July 27th, for an

election to fill the vacancies to be held on the 3d day of September ensuing. He said:

*Whereas*, R. K. Howell, President *pro tem.* of the convention for the revision and amendment of the Constitution of Louisiana, has issued an order reconvening the said convention, to meet in the city of New Orleans on the 30th day of July instant, and

*Whereas*, in the same document, and in conformity to a resolution of that body, he has called on the Governor of the State to issue writs of election for delegates to said convention in all parishes not represented therein:

Now, therefore, I, J. Madison Wells, Governor of the State of Louisiana, do issue this my proclamation, commanding that an election be held on Monday, the 3d day of September, 1866, by the qualified voters, for delegates to the aforesaid convention, as follows:

Twenty-seven parishes are then designated in which fifty-one delegates were to be elected. These parishes were outside of the military lines in 1864. The Governor then continued:

And I do further command all sheriffs, commissioners of elections and other officers therein concerned, to hold the said election as herein ordered, the proceedings to be conducted according to law, and no person will have the right to vote unless he has restored his citizenship by having taken the oath, before competent authority, as prescribed in the amnesty proclamation of the President of the United States, either of January 1, 1864, or May 29, 1865.

All persons excluded from general amnesty by being embraced in any of the articles of exception contained therein will not be allowed to vote unless specially pardoned by the President.

Prompt returns will be made of such election to the Secretary of State—for all of which this proclamation, without further notice, will serve as authority.

Given under my hand at the city of New Orleans, this twenty-seventh day of July, A. D. 1866, and the independence of the United States the ninety-first.

The Lieutenant-Governor, the Attorney-General, Secretary of State, Auditor, and State Treasurer, elected at the same time with the Governor, united in protesting against the act of the Governor; and the Secretary of State refused to attach his signature and the seal of the State to the Governor's proclamation. Meantime the Judge of the State Court above-mentioned, who charged the grand jury, was arrested by the United States Commissioner Shannon, and held to bail on charges of sedition and treason. On the same evening on which the Governor's proclamation was issued, the friends of the movement held a meeting of citizens without distinction of color, at which ex-Governor Hahn presided. Speeches were made by Messrs. Hahn, Field, Waples, and others, and the following resolutions were adopted:

*Resolved*, That the seventy-five thousand citizens of Louisiana, qualified to vote, but disfranchised on account of color, twenty thousand of whom risked their lives in her behalf in the war against the rebellion, and, by their bravery on the battle-field, helped to destroy the rebel power within her limits, may claim from her as a right, and deserve as a debt of gratitude, that participation in the Government which citizenship confers.

*Resolved*, That we cordially indorse the proposed reassembling of the Constitutional Convention of Louisiana, seeing in that movement a reasonable



hope of the establishment in this State of justice and right for all her citizens, irrespective of color, and also of the enforcement of that patriotic declaration of President Johnson, "that treason is a crime and must be made odious, and that traitors must take a back seat in the work of reconstruction."

*Resolved*, That we heartily commend the manly and energetic course pursued by Gov. J. Madison Wells and Judge Rufus K. Howell, in rising to the height of the occasion in the performance of a solemn act of duty, regardless of private threats of personal violence, and unmoved by the ridicule, censure and attempt at intimidation of the rebel press of the city.

*Resolved*, That the thanks of the loyal men of Louisiana are due to the Congress of the United States for the firm stand taken by them in the matter of reconstruction, for the protection and aid afforded by the "Civil Rights," "Freedmen's Bureau," and "Homestead" laws, and for the encouragement given to the friends of the National Government in the recently rebel States, to remodel their fundamental laws in accordance with the immortal principles enunciated in the Declaration of Independence.

*Resolved*, That the military and naval authorities of the nation are entitled to our gratitude for the security afforded by their protection and for the additional guaranty of impartial justice contained in their recent orders; a guaranty unfortunately made necessary until the full reestablishment of civil law, by the malice of our defeated and disappointed fellow-citizens.

*Resolved*, That until the doctrine of the political equality of all citizens, irrespective of color, is recognized in this State by the establishment therein of universal suffrage, there will and can be no permanent peace.

At the same time when the above meeting was going on, speeches were made from a platform on the outside of the building to a large assemblage of negroes, of which that of Dr. Dostie is reported as follows in the *New Orleans Times*. He said:

I want the negroes to have the right of suffrage, and we will give them this right to vote. There will be another meeting here to-morrow night, and on Monday I want you to come in your power. I want no cowards to come. I want only brave men to come, who will stand by us, and we will stand by them. Come, then, in your power to that meeting, or never go to another political meeting in this State. We have three hundred thousand black men with white hearts. Also one hundred thousand good and true Union white men, who will fight for and beside the black race, against the three hundred thousand hell-bound rebels, for now there are but two parties here. There are no copperheads now. Colonel Field, now making a speech inside, is heart and soul with us. He and others who would not a year ago speak to me, now take me by the hand. We are four hundred thousand to three hundred thousand, and can not only whip but exterminate the other party. Judge Abell with his grand jury may indict us. Harry Hays, with his *posse comitatus*, may be expected there, and the police, with more than a thousand men sworn in, may interfere with the convention; therefore let all brave men, and not cowards, come here on Monday. There will be no such puerile affair as at Memphis, but, if interfered with, the streets of New Orleans will run with blood! The rebels say they have submitted and accept the situation, but want you to do the work and they will do the voting; and will you throw over them "the mantle of charity and oblivion?"

"We will! we will!" was the unanimous response of the excited throng, to which Dr. Dostie vehemently replied:

"No, by God! we won't. We are bound to have

universal suffrage, though you have the traitor, Andrew Johnson, against you," etc.

On Monday, July 30th, the day on which the convention was to meet, the Mayor of the city issued the following proclamation:

MAYORALTY OF NEW ORLEANS, }  
CITY HALL, July 30, 1866. }

*Whereas*, The extinct Convention of 1864 proposes meeting this day; and

*Whereas*, Intelligence has reached me that the peace and good order of the city might be disturbed;

Now, therefore, I, John T. Monroe, Mayor of the City of New Orleans, do issue this my proclamation, calling upon the good people of this city to avoid with care all disturbance and collision; and I do particularly call upon the younger members of the community to act with such calmness and propriety as that the good name of the city may not be tarnished and the enemies of the reconstruction policy of President Johnson be not afforded an opportunity, so much courted by them, of creating a breach of the peace, and of falsifying facts to the great injury of the city and State. And I do further enjoin upon all good citizens to refrain from gathering in or about the place of meeting of said extinct convention, satisfied from recent dispatches from Washington that the deliberations of the members thereof will receive no countenance from the President, and that he will sustain the agents of the present civil government and vindicate its laws and acts to the satisfaction of the good people of the city and State.

JOHN T. MONROE, Mayor.

On Monday, July 30th, some members of the convention assembled at the Mechanics' Institute building, standing about the centre of the square, on Dryades Street, between Canal and Common Streets. At 12 m. President *pro tem*. Howell took the chair; a prayer was offered by Rev. Mr. Horton; the roll was called and twenty-five members answered to their names. Three or four others subsequently came in. No quorum being present, which required seventy-six members, the sergeant-at-arms and assistants were sent after absentees, and a recess of one hour was taken.

Meantime, during the morning, the Lieutenant-Governor, Voorhees, states that he called upon General Baird to communicate to him the President's dispatch, and also inquired from the general if he would not have some troops in the vicinity of the hall to preserve peace and good order. General Baird answered that application had been made by members of the convention. The suggestion was then made, that to have too large a police force on the spot might be construed as meant to overawe the members, and inasmuch as the civil authorities did not intend interfering with the convention until instructions were received from the President, as had been agreed upon, it was proper to have troops to coöperate with a small police force to preserve peace, and prevent all possible attempt to bring about a collision. This suggestion met the approval of the general, who then stated that he would immediately give orders to have the troops in readiness. Before the end of this interview it was again agreed upon between General Baird and the lieutenant-governor, that whatever warrant of arrest might be placed in



the hands of the sheriff would be submitted to him before any attempt to have it executed should be made, and that upon the indorsement of the general's objections the matter would be referred to the President. The Mayor being informed of this arrangement, states that he sent but a small police force to the vicinity of hall, and the troops that were to act in conjunction with the police were eagerly expected.

General Baird, in command, writes on the same day to the Secretary of War as follows:

I had not been applied to by the Convention for protection, but the Lieutenant-Governor and the Mayor had freely consulted with me, and I was so fully convinced that it was so strongly the intent of the city authorities to preserve the peace, in order to prevent military interference, that I did not regard an outbreak as a thing to be apprehended. The Lieutenant-Governor had assured me that, even if a writ of arrest was issued by the court, the sheriff would not attempt to serve it, without my permission, and for to-day they designed to suspend it. I ordered a steamer to be at Jackson Barracks (three miles below the city), at an early hour in the morning, and a tug to be ready to bear orders to the commanding officer of the First Infantry stationed at that point. At eleven and-a-half o'clock A. M., Lieutenant-Governor Voorhees came to see me, and, after conversation (he feeling confident at the time of the ability of the police to preserve order), I proposed to bring to the city four companies one hour in advance of the supposed meeting of the convention, at six o'clock, P. M., to be kept near by, in case they should be required to keep clear the streets in the vicinity of the hall in which the convention was to meet. He agreed with me that it would be very desirable, but left me, not apprehending difficulty. At twelve o'clock, M., I drove to see Judge Howell, President of the Convention, to request that arrangements might be made to keep any crowd that might assemble to protect the convention out of the streets, so as to avoid an accidental collision. When I reached his house I learned that the convention was to meet at twelve o'clock M., and that he had gone to it. Returning to my headquarters, I soon received a letter from the Lieutenant-Governor, informing me that large parties of negroes were collecting from all quarters and coming into the centre of the city; yet he was not sure of his information. However, I at once sent for the troops. Very soon afterward I learned that a riot had taken place near the convention hall, and I sent a staff-officer to investigate the facts. On his return he reported having met Judge Howell, who said the convention had adjourned for want of a quorum, but would meet again at one and a half o'clock P. M. This reassured me; but I again sent to hasten the arrival of the troops. Immediately after this the riot assumed a serious character.

At the time when the recess was taken in the convention a few left the chamber, and the mass of colored men who were outside the bar were admitted inside, and a band heading a negro procession came up from Canal Street, and was received by the crowd of negroes outside with wild and excited cheering. The excitement was communicated to those inside the lobbies, and the cheers from the street were responded to. In a moment afterward the band marched into the hall where the convention members met. At this time a disturbance commenced in the street which quickly brought on a conflict between the mass of negroes on the one side and the police and citizens on the

other. Missiles were thrown, shots fired, and finally the negro crowd scattering wide, ran back toward the building and disappeared; the great body took refuge in the entrance to the institute, out of which they fired on the police, who fired back in return. Those inside barricaded themselves in the building, while the police took possession of the street in front, and the firing was then carried on by the police from the street and the negroes from the second story front. No police could prevent the crowd of citizens from rushing into the open street and now and then making with the police a rally upon the building. Soon the firing was transferred from the front of the building to either side, where the negroes as they appeared were stoned by the crowd outside. Many of the negroes escaped by letting themselves down from the rear part and running to the rear for safety. Comparative quiet followed in front and a lull in the firing. But the police did not enter the building, notwithstanding the fire had slackened, as they would be beaten back, and the negroes who came out of the front door, as well as those who were dropping from the windows, one by one, were inhumanly attacked and killed; many of them, notwithstanding efforts of the police to prevent it. This, however, soon ceased, and one by one, white as well as black, the persons inside of the building, as soon as they appeared, were carried off to the police station. About two and a half o'clock a white handkerchief was shown and the occupants inside were removed to the station. As member after member of the convention appeared, they were greeted with hooting, yelling, and hissing. There were many among the crowd who were drunk and infuriated, and who attacked even policemen who were escorting away prisoners, besides in several instances killing the prisoners.

At sunset the approaches to the Institute were guarded by sentries; the infantry were under arms, and the artillery in position, commanding the principal streets and ready for any emergency. General Baird had proclaimed martial law, and the Mayor had issued a proclamation calling upon all citizens, who were willing, to be sworn in as extra policemen. On the next day, July 31st, Gen. Baird issued an order convening a board of military officers to investigate and report upon all the facts connected with the disturbance. This board consisted of officers Joseph A. Mower, President, S. M. Quincey, J. Irvin Gregg, George Baldy. They reported that, in their opinion, the immediate cause of the riots was to be found in the violent feelings of hostility toward the so-called Convention of 1864. The question in discussion between the civil and military authorities was, whether the persons claiming to constitute such convention should be allowed to assemble. They then proceed to examine the action of the civil and military authorities—express the belief that if martial law had not been declared,



rioting would have continued through the negro quarters all night, and conclude that there was a preconcerted plan and purpose of attack upon this convention, provided any plausible pretext therefor could be found.

The views of Gen. Sheridan, in military command of the Department, are expressed in the following dispatches :

NEW ORLEANS, Aug. 1, 1866.

*U. S. Grant, General :*

You are doubtless aware of the serious riot which occurred in this city on the 30th. A political body styling itself the Convention of 1864, met on the 30th, for, as it is alleged, the purpose of remodelling the present constitution of the State. The leaders were political agitators and revolutionary men, and the action of the convention was liable to produce breaches of the public peace. I had made up my mind to arrest the head men if the proceedings of the convention were calculated to disturb the tranquillity of the Department, but I had no cause for action until they committed the overt act. In the mean time official duty called me to Texas, and the Mayor of the city, during my absence, suppressed the convention by the use of the police force, and, in so doing, attacked the members of the convention and a party of two hundred negroes with fire-arms, clubs and knives, in a manner so unnecessary and atrocious as to compel me to say that it was murder. About forty whites and blacks were thus killed, and about one hundred and sixty wounded. Every thing is now quiet, but I deem it best to maintain a military supremacy in the city for a few days, until the affair is fully investigated. I believe the sentiment of the general community is great regret at this unnecessary cruelty, and that the police could have made any arrest they saw fit without sacrificing lives.

P. H. SHERIDAN,  
Major-General Commanding.

NEW ORLEANS, LA., August 2, 1866.

*U. S. Grant, General, Washington, D. C. :*

The more information I obtain of the affair of the 30th, in this city, the more revolting it becomes. It was no riot; it was an absolute massacre by the police, which was not excelled in murderous cruelty by that of Fort Pillow. It was a murder which the Mayor and police of the city perpetrated without the shadow of a necessity; furthermore, I believe it was premeditated, and every indication points to this. I recommend the removing of this bad man. I believe it would be hailed with the sincerest gratification by two-thirds of the population of the city. There has been a feeling of insecurity on the part of the people here on account of this man, which is now so much increased that the safety of life and property does not rest with the civil authorities, but with the military.

P. H. SHERIDAN,  
Major-General Commanding.

NEW ORLEANS, LA., August 3, 1866.

*U. S. Grant, General, Washington, D. C. :*

I have the honor to report quiet in the city, but considerable excitement in the public mind. There is no interference on the part of the military with the civil government, which performs all its duties without hindrance.

I have permitted the retention of the military governor appointed during my absence, as it gives confidence and enables the military to know what is occurring in the city. He does not interfere with civil matters.

Unless good judgment is exercised, there will be an exodus of northern capital and Union men which will be injurious to the city and to the whole country. I will remove the military governor in a day or two. I again strongly advise that some disposition be made to change the present mayor, as I believe it would do more to restore confidence than any thing

that could be done. If the present Governor could be changed also, it would not be amiss.

P. H. SHERIDAN,  
Major-General Commanding.

On August 4th, the President addressed by telegraph the following inquiries to General Sheridan :

EXECUTIVE MANSION, WASHINGTON, D. C., Aug. 4, 1866.

*To Major-General Sheridan, commanding, etc., New Orleans, La. :*

We have been advised here that, prior to the assembling of the illegal and extinct convention elected in 1864, inflammatory and insurrectionary speeches were made to a mob, composed of white and colored persons, urging them to arm and equip themselves for the purpose of protecting and sustaining the convention in its illegal and unauthorized proceedings, intended and calculated to upturn and supersede the existing State Government of Louisiana, which had been recognized by the Government of the United States. Further, did the mob assemble, and was it armed for the purpose of sustaining the convention in its usurpation and revolutionary proceedings? Have any arms been taken from persons since the 30th ult., who were supposed or known to be connected with this mob? Have not various individuals been assaulted and shot by persons connected with this mob without good cause, and in violation of the public peace and good order? Was not the assembling of this convention and the gathering of the mob for its defence and protection the main cause of the riotous and unlawful proceedings of the civil authorities of New Orleans? Have steps been taken by the civil authorities to arrest and try any and all those who were engaged in this riot, and those who have committed offences in violation of law? Can ample justice be meted by the civil authorities to all offenders against the law? Will General Sheridan please furnish me a brief reply to the above inquiries, with such other information as he may be in possession of?

Please answer by telegraph at your earliest convenience.

ANDREW JOHNSON,  
President United States.

The reply of General Sheridan was as follows :

NEW ORLEANS, LA., August 6, 12 M., 1866.

*His Excellency Andrew Johnson, President United States :*

I have the honor to make the following reply to your dispatch of August fourth (4th): A very large number of colored people marched in procession on Friday night, July twenty-seventh (27th), and were addressed from the steps of the City Hall by Doctor Dostie, ex-Governor Hahn, and others. The speech of Dostie was intemperate in language and sentiment. The speeches of the others, so far as I can learn, were characterized by moderation. I have not given you the words of Dostie's speech, as the version published was denied; but from what I have learned of the man, I believe they were intemperate.

The convention assembled at twelve (12) M. on the thirtieth (30th), the timid members absenting themselves, because the tone of the general public was ominous of trouble. I think there were but about twenty-six (26) members present. In the front of the Mechanics' Institute, where the meeting was held, there were assembled some colored men, women, and children, perhaps eighteen (18) or twenty (20), and in the institute a number of colored men, probably one hundred and fifty (150). Among those outside and inside there might have been a pistol in the possession of every tenth (10th) man.

About one (1) P. M. a procession of, say from sixty (60) to one hundred and thirty (130) colored men marched up Burgundy Street and across Canal Street toward the convention, carrying the American flag.



These men had about one pistol to every ten men, and canes, and clubs in addition. While crossing Canal Street a row occurred. There were many spectators in the streets, and their manner and tone toward the procession unfriendly. A shot was fired, by whom I am not able to state, but believe it to have been by a policeman, or some colored man in the procession. This led to other shots and a rush after the procession. On arrival at the front of the Institute there was some throwing of brickbats by both sides. The police, who had been held well in hand, were vigorously marched to the scene of disorder. The procession entered the Institute with the flag, about six (6) or eight (8) remaining outside. A row occurred between a policeman and one of those colored men, and a shot was again fired by one of the parties, which led to an indiscriminate fire on the building through the windows by the policemen. This had been going on for a short time, when a white flag was displayed from the windows of the Institute, whereupon the firing ceased, and the police rushed into the building.

From the testimony of wounded men and others who were inside the building, the policemen opened an indiscriminate fire upon the audience until they had emptied their revolvers, when they retired, and those inside barricaded the doors. The door was broken in, and the firing again commenced, when many of the colored and white people either escaped through the door or were passed out by the policemen inside; but as they came out, the policemen who formed the circle nearest the building fired upon them, and they were again fired upon by the citizens that formed the outer circle. Many of those wounded and taken prisoners, and others who were prisoners and not wounded, were fired upon by their captors and by citizens. The wounded were stabbed while lying on the ground, and their heads beaten with brickbats in the yard of the building, whether some of the colored men had escaped, and partially secreted themselves. They were fired upon and killed or wounded by policemen. Some men were killed or wounded several squares from the scene. Members of the convention were wounded by the policemen while in their hands as prisoners—some of them mortally.

The immediate cause of this terrible affair was the assemblage of this convention. The remote cause was the bitter and antagonistic feeling that has been growing in this community since the advent of the present Mayor, who, in the organization of his police force selected many desperate men, and some of them known murderers. People of clear views were overawed by want of confidence in the Mayor, and fear of the thugs, many of whom he had selected for his police force. I have frequently been spoken to by prominent citizens upon this subject, and have heard them express fear and want of confidence in Mayor Monroe. Ever since the intimation of this last convention I must condemn the course of several of the city papers for supporting, by their articles, the bitter feeling of bad men. As to the merciless manner in which the convention was broken up, I feel obliged to confess strong repugnance.

It is useless to attempt to disguise the hostility that exists on the part of a great many here toward Northern men, and this unfortunate affair has so precipitated matters that there is now a test of what shall be the *status* of Northern men—whether they can live here without being in constant dread or not; whether they can be protected in life and property, and have justice in the courts. If this matter is permitted to pass over without a thorough and determined prosecution of those engaged in it, we may look out for frequent scenes of the same kind, not only here but in other places. No steps have yet been taken by the civil authorities to arrest citizens who were engaged in this massacre, or policemen who perpetuated such cruelties. The members of the convention have been indicted by the grand jury, and many of them arrested and held to bail. As to

whether the civil authorities can mete out ample justice to the guilty parties on both sides, I must say it is my opinion unequivocally that they cannot. Judge Abell, whose course I have closely watched for nearly a year, I now consider one of the most dangerous men we have here to the peace and quiet of the city. The leading men of the convention—King, Cutler, Hahn, and others—have been political agitators, and are bad men. I regret to say that the course of Governor Wells has been vacillating, and that during the late trouble he has shown very little of the man.

P. H. SHERIDAN,  
Major-General Commanding.

In answer to General Sheridan the following further dispatch was sent:

WAR DEPARTMENT, }  
WASHINGTON CITY, August 7, 1866. }

To Maj.-Gen. P. H. Sheridan, Commanding, etc., New Orleans, La. :

The President directs me to acknowledge your telegram of the sixth (6th), in answer to his inquiries of the fourth (4th) instant. On the third (3d) instant instructions were sent you, by General Grant, in conformity with the President's directions, authorizing you to "continue to enforce martial law so far as might be necessary to preserve the public peace, and ordering you not to allow any of the civil authorities to act if you deem such action dangerous to the public safety, and also that no time be lost in investigating the causes that led to the riot and the facts which occurred." By these instructions the President designed to invest in you, as the chief military commander, full authority for the maintenance of the public peace and safety, as he does not see that anything more is needed pending the investigation with which you are intrusted. But if, in your judgment, your powers are inadequate to preserve the peace until the facts connected with the riot are ascertained, you will please report to this department for the information of the President.

EDWIN M. STANTON,  
Secretary of War.

The Lieutenant-Governor, the Attorney-General of the State, and the Mayor of New Orleans made a report to the President on August 7th that the civil authorities took all the precautions possible to prevent the outbreak; that they applied during three days previous to the military to preserve order at the place where the convention was to meet; that the authorities, State and municipal, came to an understanding to act in concert with the military for that purpose; that the citizens no more than the police contemplated preventing the convention from holding their meeting in peace and adjourning and dispersing unmolested; and that the warrant for their arrest would have been submitted to the military as agreed upon, although the President's dispatch to the Lieutenant-Governor, and the subsequent one to the Attorney-General, was imperative that the military must not thwart the convention. The military authorities had been for three days previous to the riot in constant communication with the Attorney-General and the Lieutenant-Governor, with a view to prevent the impending riot. The efforts were unsuccessful and could not counteract the incendiary counsels and appeals of those who, for sinister purposes had in view this very result in order to reap a political harvest. With regard to the proclamation of martial law, they say: "The



least that can be said is, that it was inopportune if the rioting had ceased completely, the police being masters of the situation." They further state that the colored population as a body did not participate in these scenes, and the freedmen in the vicinity of the riot were standing as lookers-on without being molested. Forty-two policemen and several citizens were either killed or wounded, although the conflict was over in two hours. Twenty-seven of the other party were killed and a considerable number wounded.

Subsequently the universal suffrage men addressed to Congress the following petition:

We, the undersigned Union men of the State of Louisiana, respectfully represent that, after four years combating the armed forces of the rebels and traitors, we are not prepared nor yet willing that these same rebels and traitors should return among us, assume authority, maltreat with contumely and contempt, or otherwise abuse us. The facts are patent and beyond question, and it is well shown that the real Union men in this State are in the minority. The returned rebels and traitors have the balance of power in their hands, and it is publicly avowed that the confederate element must rule. Matters have assumed such a phase that, if not strangled in the birth, we, the Union men, will have no security for life, property, or honor. The returned rebels and traitors are daily growing more powerful, and daily insults and abuse are heaped upon us by them. They no sooner find a return to power than they commence a series of abuse of us. They lose no opportunity, but upon all occasions use vile epithets toward us. Our residences are marked, and attempts have been made to fire the dwellings of some of us who are most conspicuous. We are told that we are spotted, and daily threats are heard against us. They not only abuse and curse us in private, but publicly scorn and vilify us. Newspapers, of which we have but two in our interest, cannot be bought on the streets, but, like private papers, during the days of the inquisition of old, are passed from hand to hand. We would infinitely prefer to return them their arms and fight them in open field than thus to permit them, under the protection of our government, to assume to dictate to us and govern us. Our government, under a misapplied mercy, grants to prisoners of war, guilty of the highest crime against the State—treason—the privilege, hitherto unknown, of dictating to their conquerors the terms upon which the conquerors may be permitted to live in the land of their birth with unpardoned traitors, against all of which we protest. We protest against being termed rebels and traitors by those whose hands are yet reeking with the blood of Union men, and who boldly, and with unsurpassed effrontery, not only in private, but throughout the daily papers, term us rebels and traitors, and style themselves the Union men of the South, and this, too, while they are keeping up their confederate organizations, and utterly ignoring that they are prisoners of war to our government. We protest against being ruled by prisoners of war under parole. We protest against being abused by them. We protest against being made to feel the vengeance of baffled traitors. We protest against being used as the lamb of the sacrifice to conciliate rebels and traitors, knowing our shrift would be short if once these assassins gain power, as they have proved conclusively by their acts of premeditated, cold-blooded butchery of Union men on Monday the 13th of July, the Saint Bartholomew day of New Orleans. We protest against being left to the tender mercies of the assassins who use the knife and pistols. We protest most emphatically against being made the slaves, so to speak, of these prisoners of war, who hate

us with unutterable hate, who despise and curse us. Was it for this hundreds and thousands of our union soldiers perished? Was it for this we waged a war for the Union? Was it for this we have imbrued our whole land in taxation? Was it for this we spent millions of treasure? Was it for this we have made invalids and cripples of our thousands of Union men? Was it for this we elected Andrew Johnson to the office from which ill-starred events caused him to become President? Was it for this we conquered? We therefore call upon the conquerors and loyal citizens of the nation to protect us. We not only petition, but demand protection from the Congress of your country, as we are in duty bound.

On December 10th the Lower House of Congress appointed Messrs. Eliot, Shellabarger, and Boyer, a select committee to investigate the matter connected with the riots, and to report such legislative action as the condition of affairs in the State of Louisiana required. Messrs. Eliot and Shellabarger presented a majority, and Mr. Boyer a minority report to the House on February 11, 1867. There is space here to notice only the conclusion of each report. The majority say:

The rebel State was at war, it is true, and was defeated in its attempt to overthrow the Government. But we would not use the power which victory has given, as might well be done, if Louisiana had not been before the rebellion one of the United States.

The war was conducted on the part of the Government to prevent her from permanently disuniting the States of the Union. Now the end of war is peace, and the peace to be established must be secured in view of the requirements of the Constitution itself.

Until a loyal State of Louisiana exists in full political accord with the United States, and the demand of the Constitution is complied with that a Government republican in form shall be guaranteed to the State, the objects of the war will not have been attained. To accomplish that end the condition of affairs in Louisiana requires the temporary establishment of a provisional government.

By the loyal people of Louisiana such constitution must be ordained and such civil government formed as will assure to the Republic a loyal and free State, worthy of a place within the Union.

In the mean time the safety of all Union men within the State demands that such government be formed for their protection, for the well-being of the nation and the permanent peace of the Republic. In discharge of the duty placed upon them, the committee submit the bill accompanying the report.

The minority report concluded with five propositions, as follows:

1. The riot of the 30th of July was a local disturbance, originating in local circumstances of great provocation, and in nowise the result of any hostility or disaffection on the part of the community of New Orleans to the Federal Government. It was not in any just or fair sense of the term a vestige or outbreak of the rebellion, nor can it be said to be any indication even in the remotest degree of a disposition on the part of the people of Louisiana, or the city of New Orleans, to renew hostilities in any form with the established authorities, State or Federal.

2. It would be a monstrous injustice to hold the whole people of the State of Louisiana accountable for the acts of those engaged in a riot confined to a small portion of the city of New Orleans; and for that cause to abrogate by act of Congress the civil government of that State now in peaceful and successful operation, would be a usurpation of power not warranted by the Constitution, and a gross outrage upon the principles of free government.

3. The riot was provoked by the incendiary



speeches and revolutionary acts and threatened violence of the conventionists—such as under the circumstances would have led to a riot in any city in the Union.

4. To provoke an attack on the colored population, which was expected to be suppressed by the military before it had seriously endangered the white leaders, appears to have been part of the scheme of the conventionists. This would afford an excuse for Congressional investigation, resulting in Congressional legislation, favoring the ultimate design of the conventionists, namely: the destruction of the existing civil government of Louisiana.

5. As respects that part of the resolution of the House which makes it a subject of investigation by the committee, "whether and to what extent those acts were participated in by members of the organization claiming to be the government of Louisiana," the following conclusion is submitted: In no proper sense of the term and in no degree whatever is the riot of July 30th attributable to the government of Louisiana. If there be any members of the government of Louisiana in whose official acts the remote causes of the riot are to be traced, the chief among them are Judge R. K. Howell, who, as the usurping president of the minority of an extinct convention, headed the conspiracy to overthrow the State constitution, which, as a Judge of the Superior Court, he had sworn to support, and Gov. J. Madison Wells, who lent to the conspiracy his official sanction, but on the day of danger deserted his post without an effort to preserve the public peace. And if there be any member of the Federal Government who are indirectly responsible for the bloody result they are those members of the present Congress, whoever they may be, who encouraged these men by their counsels, and promised to them their individual and official support.

The affair was discussed in the press with much excitement through the year. By one side the President was asserted to be responsible for the difficulty, and by the other side it was asserted to have been caused at the instigation of Congress.

The persons arrested at the time of the riot, were subsequently released by the military authority. The grand jury of the city, which had been charged with the matter, exculpated the city government, and threw the onus of the responsibility for the affair on the convention.

The system of public schools in the State has been successful, but it proposed to reorganize it. The State superintendent urges an increase of the capitation tax, with measures to enforce it; a thorough system of normal schools; the acquisition of the title to lands designated for school purposes, and higher pay to competent teachers.

In some respects the year was a disastrous one to the State. Fire had done its work during the progress of the war and left burned towns and desolated homesteads to rebuild. The floods then swept over the hopes and energies that contended against adverse destinies, and the caterpillar came in at the close. The product of sugar during the year was, however, decidedly encouraging. The few who turned their attention to grain crops, were amply recompensed. The details of the sugar crop of the State for some years have been estimated as follows: 1861-'2, 459,410 hogsheads; 1864-'5, 6,668 hogsheads; 1865-'6, 14,700 hogsheads. The number of plantations in cultivation

for the seasons specified, have been as follows: 1861-'2, 1,291; 1864-'5, 175; 1865-'6, 188.

LÜBECK, a free city in Germany. Area, 109 English square miles; population, in 1862, 50,614. The budget of 1866 estimates the public revenue at 1,692,000, and the expenditures at 1,780,000 marks current (1 mark current=26 cents). Probable deficit, 88,000 marks current. The total value of imports in 1865 was 91,430,817 marks current. The number of ships entering the port of Lübeck, in 1864, was 1,765 (among them 745 steamers), together of 140,000 lasts; the number of clearances, 1,758 (among them 752 steamers), together of 139,000 lasts. At the beginning of 1866 Lübeck possessed 43 sea-going vessels (among them 15 steamers), together of 5,210 lasts. During the German-Italian war Lübeck sided with Prussia, and after the war it joined with the North German Confederation.

LUTHERANS. The Lutheran "Church Almanac" for 1867 gives the following statistical view of the Lutheran Church in the United States:\*

SYNODS.	Ministers.	Congregations.	Communicants.
1, Synod of Pennsylvania and adjacent States*.....	119	268	49,569
2, Ministerium of New York*.....	61	60	13,740
3, Synod of Maryland*.....	35	44	6,581
4, Synod of North Carolina†.....	18	37	4,110
5, Joint Synod of Ohio.....	144	287	35,000
6, Synod of Tennessee.....	32	85	5,800
7, Synod of South Carolina†.....	37	50	5,000
8, Synod of West Pennsylvania*.....	47	99	11,920
9, Synod of Virginia†.....	20	55	3,525
10, Hartwick Synod (New York)*.....	26	31	4,293
11, East Ohio Synod*.....	37	59	3,684
12, English Synod of Ohio*.....	11	26	1,634
13, Frankan Synod (New York)*.....	26	32	2,650
14, Alleghany Synod (Pennsylvania)*.....	42	96	6,314
15, East Pennsylvania Synod*.....	60	115	12,016
16, Synod of Western Virginia†.....	20	40	2,426
17, Pittsburg Synod*.....	52	100	8,611
18, Miami Synod (Ohio)*.....	33	45	3,395
19, Synod of Illinois*.....	44	37	4,470
20, Buffalo Synod (New York and other States).....	30	40	5,000
21, Wittenberg Synod (Ohio)*.....	34	45	3,398
22, Olive Branch Synod (Indiana)*.....	17	29	1,276
23, Synod of Wisconsin.....	51	97	13,253
24, Synod of Northern Illinois*.....	23	39	2,000
25, Synod of Texas*.....	20	22	2,350
26, Synod of Southern Illinois*.....	12	27	1,250
27, Joint Synod of Missouri and other States.....	276	278	34,013
28, Norwegian Synod (Wisconsin, Iowa, and other States).....	40	190	27,000
29, Central Pennsylvania Synod*.....	34	78	6,737
30, Synod of Iowa (German).....	50	75	6,800
31, Synod of Iowa (English and German)*.....	22	23	927
32, Synod of Northern Indiana*.....	23	65	2,902
33, Michigan Synod.....	10	20	2,500
34, Melancthon Synod (Maryland)*.....	16	46	4,271
35, Union Synod (Indiana).....	10	15	2,000
36, Canada Synod.....	20	66	6,082
37, Mississippi Synod.....	7	11	2,000
38, Augustana Synod (Swedish and Norwegian).....	40	90	9,000
39, New Jersey Synod*.....	8	10	1,363
40, Minnesota Synod*.....	19	35	2,500
41, Holston Synod (Tennessee).....	7	18	1,200
42, Synod of Georgia†.....	6	10	750
	1,644	2,915	323,825

\* More detailed information may be found in the "Lutheran Church Almanac" for 1867, published at Allen-



Of the above synods twenty-four\* were, at the beginning of the year 1866, in connection with the "General Synod of the Lutheran Church in the United States;" but the largest of all the Lutheran Synods, that of Pennsylvania and the adjoining States, withdrew from the "General Synod" in 1866, and several other synods took the same step. Together the twenty-four synods connected with the General Synod had 824 ministers, 1,421 churches, and 158,258 communicants. Five synods in the Southern States† belong to the "Evangelical Lutheran General Synod in North America," and it was expected that this body would also be joined by the "Tennessee Synod" and the "Holston Synod of Tennessee." There were published in the United States, in 1866, twenty-nine Lutheran Church, school, and missionary periodicals, namely, nine English, fourteen German, two Swedish, three Norwegian. The number of the theological seminaries or theological departments in connection with colleges was fifteen; that of colleges and universities seventeen (situated at Gettysburg, Selinsgrove, and Allentown, Pennsylvania; Fort Wayne, Indiana; Columbus and Springfield, Ohio; Springfield and Paxton, Illinois; Watertown, Wisconsin; Buffalo and Hartwick, New York; Fairfield, Albion, and Decorah, Iowa; Newberry, South Carolina; Salem, Virginia; Mount Pleasant, North Carolina); that of female seminaries, nine. Lutheran Orphans' Homes and Christian Hospitals for the sick have been established in various parts of the country. In 1865 such institutions were in operation at Pittsburg, Zelenople, Rochester, Germantown, Middletown, Pennsylvania; Buffalo, New York; Toledo, Ohio; Milwaukee, Wisconsin; New York City, and other places. There is a school-teachers' seminary at Addison, Illinois.‡

The twenty-second convention of the "General Synod of the Evangelical Lutheran Church" met at Fort Wayne, Indiana, on May 16th. Representatives of all the synods connected with the General Synods were in attendance, except from the synods of Southern Illinois and Texas. From the president of the latter synod, a report was subsequently received, professing on behalf of the Synod of Texas, strong attachment to the General Synod, heartily deploring the unjustifiable event which suspended the relations of the two organizations, expressing sincere regret that straitened circumstances rendered it impracticable to send delegates to Fort Wayne, and indulging the hope that active relations would

soon be again enjoyed. The convention was opened by the president of the preceding convention, Dr. Sprecher. The roll of synods being called, the president ruled the Pennsylvania Synod out of "governing relation" to the General Synod, and taking the ground that the withdrawal of its delegates from the sessions of the Synod of York, was the act of the Pennsylvania Synod itself, and that consequently that synod, if received at all, could not be received until after the complete organization of the General Synod by the election of its officers. On an appeal to the convention, the decision of the president was sustained by vote of 77 to 24. In consequence of this action three synods ("Ministerium of New York," "Pittsburg Synod," and "English Synod of Ohio," refused to take part in the election of officers. Of the votes cast, a majority was given to Dr. Brown, Professor at Gettysburg. The relation of the Pennsylvania Synod to the General Synod formed the most prominent part of the proceedings of the Convention. After a long debate the following resolutions were adopted:

*Resolved*, That this synod regard the condition annexed by the Philadelphia Synod to the appointment of their delegates as contrary to that equality among the synods composing this body provided for in its constitution, and as derogatory to its dignity.

*Resolved*, That whatever motives of Christian forbearance may have induced this synod to receive the Pennsylvania delegation in 1853, with this condition, the unfavorable influence since exerted by it, renders it very desirable that said condition be rescinded by the Synod of Pennsylvania.

*Resolved*, That the General Synod hereby express its entire willingness to receive the delegates of the Synod of Pennsylvania.

In reply to these resolutions, Dr. Krotel read the answer of the delegation of the Pennsylvania Synod, which was substantially as follows:

The Pennsylvania Synod claims that the withdrawal of its delegates at the meeting at York, two years ago, did not sever their connection with the General Synod, and was made in strict accordance with the conditions upon which they reunited with it in 1853; that, as no official action has severed that connection, the Pennsylvania Synod is yet an integral part of the General Synod, and that its delegates were denied their constitutional rights in not being allowed to take part in the organization of the present convention. The paper concluded with a statement of the conditions on which the Pennsylvania delegates would resume their practical relations to the General Synod, namely: That the General Synod should declare that they had a constitutional right to take part in its organization, and should not require any change in the condition upon which they hold their connection with it.

After hearing this reply, the Convention, on motion of Prof. Swartz, declared (by 76 against 32 votes) that it could not conscientiously recede from the action taken, reasserting, however, at the same time, its readiness to receive the delegates of the Pennsylvania Synod as soon as they should present their credentials in due form. The chairman of the Pennsylvania delegation hereupon declared that the Pennsylvania delegates took the resolution just

town, Pa., and in the "Lutheran Almanac" for 1867, published at Baltimore, Md., and at Newburg, S. C.; also, in "Proceedings of the Twenty-second Convention of the Evangelical Lutheran Church in the United States" (Philadelphia, 1866). The latter volume contains the Constitution of the General Synods, with all the amendments to it passed up to 1866.

\* They are marked (\*) in the above list.

† They are marked (†) in the above list.

‡ For a full account of the Theological Seminaries, see ANNUAL CYCLOPEDIA for 1865.



passed as the final action of the General Synod on the subject, and that they felt themselves obliged to withdraw from its sessions; but that they did not presume to decide by this withdrawal, or in any other way, the relation of their synod to the General Synod. The President of the Convention, Dr. Brown, replied that he understood the position of the General Synod on the subject to be, that it did not consider the Pennsylvania Synod out of the General Synod, but out of its own practical relation to said synod; after which the Pennsylvania delegates withdrew in a body.

The Committee on the State of the Country reported a series of resolutions which were adopted by a strong vote. The most important of them were as follows:

*Resolved*, That in these, our thanksgivings, we include, as among the most obvious occasions of them, the final victory which God was graciously pleased to vouchsafe to our gallant army and navy—the preservation of the government and its associated institutions from meditated, forcible overthrow—and the removal from among us of the curse of slavery, in whose interest and for the extension of which the war was inaugurated and prosecuted.

*Resolved*, That to the millions of bondmen, who by the vicissitudes of war have been so suddenly and strangely translated into a state of freedom, the country owes its most beneficent and paternal guardianship, to the end that they suffer no detriment from neglect or abuse, but be strengthened, comforted and assisted, in which great duty the Church of Christ cannot and must not be found tardy or delinquent.

*Resolved*, That we share in the enlightened and spontaneous sentiment of the people of this land, and of all other lands, in expression of profoundest sorrow, because of the violent death of President Abraham Lincoln, whose memory as a patriot, a statesman, and the highest type of a philanthropist, we cherish and revere, and whose invaluable services to our nation, and to the cause of the suffering and oppressed, we shall ever hold in grateful and affectionate remembrance.

Reports from the several delegations as to the action of their respective synods on two amendments to the constitution, proposed at the last meeting of the synod—one changing the ratio of representation and the other fixing the doctrinal basis of admission to the general synod—showed nineteen synods in favor of and one against the first amendment, and sixteen in favor of and three against the second amendment. The two-thirds majority having been obtained in both cases, the amendments were declared confirmed.

The convention appointed a committee of five to enter into correspondence with those synods in the South formerly represented in the General Synod, with a view to a restoration of fraternal and ecclesiastical relations. A series of resolutions was also adopted to the effect that a committee of five be appointed to report at the next meeting a revision of the constitution of the General Synod, by which it shall be made not simply an advisory body, but the highest legislative and executive body of the Lutheran Church in the United States, whose acts and decisions shall be authoritative

and final in all matters specifically intrusted to it in the constitution. Harrisburg, Pa., was selected for the place of meeting for the next convention; time, third Thursday of May, 1868.

The Synod of Pennsylvania held an extra meeting at Lancaster, on June 8th, in which the action of the delegates of the synod to the General Synod was approved, and the connection with the latter body formally severed. The synod at the same time resolved to invite all Lutheran synods, adhering to the Unaltered Augsburg Confession, to unite with its members in the formation of a general synod on the above basis. The synod selected the following basis of doctrine to form part of its constitution:

The synod declares that it confesses the canonical books of the Old and New Testaments to be the inspired Word of God, and the only true, clear, and efficient rule of faith; that three oecumenical creeds, the Apostolical, the Nicene, and the Athanasian, are a correct historical representation of the faith of the church generally; that the Unaltered Augsburg Confession, in all its parts, is a correct exhibition of this faith; that the apology, the catechisms of Luther, the articles of Smalcald, and the formula of Concord, are a faithful and correct defence and development of this faith. And, according to this rule, all questions of faith, and of the administration of the sacraments, shall be determined.

In accordance with the invitation issued by the Synod of Pennsylvania, the "confessionalist" wing of the Lutheran Church held a convention of synods at Reading, on December 11th, to organize a national council, and to lay down the fundamental principles (doctrinal and ecclesiastical) upon which it is to be constituted. The Rev. G. Bassler, of Pittsburg Synod, was elected president. There were present delegations from the following ten synods: Synod of Pennsylvania, Pittsburg Synod, English Synod of Ohio, Minnesota Synod, Ministerium of New York, Joint Synod of Ohio, Synod of Wisconsin, Michigan Synod, German Synod of Iowa, Missouri Synod, Canada Synod, Augustana and Norwegian Synods. The first five of these synods had heretofore been in connection with the "General Synod," while the eight others have been independent. Together they represent 813 ministers, 1,322 congregations, and 173,407 communicants.

The delegates of the Ministerium of New York wished, however, to be merely regarded as observers, as their synod had not yet formally severed its connection with "the General Synod." The delegates of all the synods, with the exception of those of the Norwegian and Missouri Synods, declared themselves in favor of forming a new organization, to be called the "General Council of the Evangelical Lutheran Church of North America," "Evangelische Lutherische Allgemeine Kirchen Versammlung."

The following are the fundamental principles of doctrine and of Church polity, on nearly every one of which the Convention agreed with absolute unanimity, and in the other cases with a unanimity little short of absolute.



## FUNDAMENTAL PRINCIPLES OF FAITH.

We hold the following principles touching the faith of the Church and its polity to be fundamental and of necessity presupposed in any genuine union of Evangelical Lutheran Synods:

I. There must be, and abide through all time, one holy Christian Church, which is the assembly of all believers, among whom the Gospel is purely preached, and the Holy Sacraments are administered, as the Gospel demands.

To the true unity of the Church, it is sufficient that there be agreement touching the doctrine of the Gospel, that it be preached in one accord, in its pure sense, and that the Sacraments be administered conformably to God's Word.

II. The true unity of a particular Church, in virtue of which men are truly members of one and the same Church, and by which any Church abides in real identity, and is entitled to a continuation of her name, is unity in doctrine and faith and in the Sacraments, to wit: That she continues to teach and to set forth, and that her true members embrace from the heart, and use, the articles of faith and the Sacraments as they were held and administered, when the Church came into distinctive being and received a distinctive name.

III. The unity of the Church is witnessed to, and made manifest in the solemn, public and official confessions which are set forth, to wit: The generic unity of the Christian Church in the general creeds, and the specific unity of pure parts of the Christian Church in their specific creeds; one chief object of both classes of which creeds, is, that Christians who are in the unity of faith, may know each other as such, and may have a visible bond of fellowship.

IV. That confessions may be such a testimony of unity and bond of unity, they must be accepted in every statement of doctrine, in their own true, native, original, and only sense. Those who set them forth and subscribe them, must not only agree to use the same words, but must use and understand those words in one and the same sense.

V. The unity of the Evangelical Lutheran Church, as a portion of the holy Christian Church, depends upon her abiding in one and the same faith, in confessing which she obtained her distinctive being and name, her political recognition and her history.

VI. The Unaltered Augsburg Confession is by pre-eminence the confession of that faith. The acceptance of its doctrines and the avowal of them without equivocation or mental reservation, make, mark, and identify that Church which alone, in the true, original, historical, and honest sense of the term, is the Evangelical Lutheran Church.

VII. The only Churches, therefore, of any land, which are properly in the unity of that communion, and by consequence entitled to its name, Evangelical Lutheran, are those which sincerely hold and truthfully confess the doctrines of the Unaltered Augsburg Confession.

VIII. We accept and acknowledge the doctrines of the Unaltered Augsburg Confession in its original sense as throughout in conformity with the pure truth of which God's Word is the only rule. We accept its statements of truth as in perfect accordance with the Canonical Scriptures: We reject the errors it condemns; and believe that all which it leaves to the liberty of the Church, of right belongs to that liberty.

IX. In thus formally accepting and acknowledging the Unaltered Augsburg Confession, we declare our conviction, that the other confessions of the Evangelical Lutheran Church, inasmuch as they set forth none other than its system of doctrine, and articles of faith, are of necessity pure and Scriptural. Pre-eminent among such accordant, pure, and Scriptural statements of doctrine, by their intrinsic excellence, by the great and necessary ends for which they were prepared, by their historical position, and by the general judgment of the Church, are these: The

Apology of the Augsburg Confession, the Smalcald Articles, the Catechisms of Luther and the Formula of Concord, all of which are, with the Unaltered Augsburg Confession, in the perfect harmony of one and the same Scriptural faith.

## FUNDAMENTAL PRINCIPLES OF ECCLESIASTICAL POWER AND CHURCH GOVERNMENT.

I. All the power in the Church belongs primarily, properly, and exclusively, to our Lord Jesus Christ, "true God, begotten of the Father from eternity, and true man, born of the Virgin Mary," Mediator between God and men, and supreme head of the Church. This supreme and direct power is not delegated to any man or body of men upon the earth.

II. All just power exercised by the Church has been committed to her for the furtherance of the Gospel, through the Word and Sacraments, is conditioned by this end, and is derivative and pertains to her as the servant of Jesus Christ.

The Church therefore has no power to bind the conscience, except as she truly teaches what her Lord teaches, and faithfully commands what He has charged her to command.

III. The absolute directory of the will of Christ is the Word of God, the canonical Scriptures, interpreted in accordance with the "mind of the Spirit," by which Scriptures the Church is to be guided in every decision. She may set forth no article of faith which is not taught by the very letter of God's Word, or derived by just and necessary inference from it, and her liberty concerns those things only which are left free by the letter and spirit of God's Word.

IV. The primary bodies, through which the power is normally exercised which Christ commits derivatively and ministerially to His Church on earth, are the congregations. The congregation in the normal state is neither the pastor without the people nor the people without the pastor.

V. In congregations exists the right of representation. In addition to the pastor, who by their voluntary election is already *ex officio* their representative, the people have the right to choose representatives from their own number to act for them under such constitutional limitations as the congregation approves.

VI. The representatives of congregations thus convened in synod, and acting in accordance with those conditions of mutual congregational compact, which are called a constitution, are for the ends, and with the limitations defined in it, representatively, the congregations themselves.

A free, Scriptural general council or synod chosen by the church is, within the metes and bounds fixed by the Church which chose it, representatively that church itself; and in this case is applicable the language of the appendix to the Smalcald Articles, "the judgments of synods are the judgments of the Church."

VII. The congregations representatively constituting the various district synods, may elect delegates through those synods, to represent themselves in a more general body, all decisions of which, when made in conformity with the solemn compact of the constitution, bind, so far as the terms of mutual agreement make them binding, those congregations which consent and continue to consent to be represented in that general body.

VIII. If the final decision of any general body thus constituted, shall seem to any synod within it in conflict with the faith, involving violation of the rights of conscience, it is the duty of that synod to take such steps as shall be needed to prevent a compromise on its part with error. To this end, it may withdraw itself from relations which make it responsible for departure from the faith of the Gospel, or for an equivocal attitude toward it. Such steps should not be taken on any but well-defined grounds of conscience, nor on mere suspicion, nor until prayerful, earnest, and repeated efforts to correct the wrong



have proved useless, and no remedy remains but withdrawal.

IX. The obligation under which congregations consent to place themselves, to conform to the decisions of synods, does not rest upon any assumption that synods are infallible, but on the supposition that the decisions have been so guarded by wise constitutional provisions as to create a higher moral probability of their being true and rightful than the decisions in conflict with them, which may be made by single congregations or individuals. All final decisions should be guarded with the utmost care, so that they shall in no case claim without just grounds to be the judgment of those congregations in whose name and by whose authority they are made—in the absence of which just grounds they are null and void.

X. In the formation of a general body, the synods may know and deal with each other as synods. In such case the official record is to be accepted as evidence of the doctrinal position of each synod and of the principles for which alone the other synods become responsible by connection with it.

XI. The leading objects for which synods should be organized are:

1. The maintenance and diffusion of sound doctrine, as the same is taught in God's Word, and confessed in the authorized standards of the Church.

2. When controversies arise in regard to articles of faith, to decide them in accordance with God's Word and the pure confessions of that Word.

3. The proper regulation of the human externals of worship, that the same, in character and administration, may be in keeping with the spirit of the New Testament and with the liberty of the Church, and may edify the Body of Christ.

4. The maintenance of pure discipline to the fostering of holiness and fidelity in the ministry and people.

5. The devising and executing of wise and Scriptural councils and plans for carrying on the work of the Church, in every department of beneficent labor for the souls and bodies of men, at home and abroad.

All these things are to be so done, that the saving power of the Gospel may be realized; that good order may be maintained, and that all unsoundness in faith and life may be averted; that God may be glorified, and that Christ our King may rule in a pure, peaceful, and active Church.

A committee was appointed, charged with the duty of drafting a constitution for a general organization of Lutheran Synods. This constitution must be based upon the fundamental principles of faith and polity above stated. It must grant to all languages represented in the body, equal rights; apportion representation according to the number entitled to communion; the whole number of delegates to its conventions, clerical and lay together, must not exceed two hundred (200); it must set forth the

duties, rights, and privileges of the general organization, etc.

As soon as the labors of the committee shall be completed, they must report to the president of the convention, who shall send the constitution thus framed to the presidents of the several synods represented, to be laid before their respective synods, and as soon as ten (10) synods have adopted its general provisions, the delegates elected shall assemble at such time and place as may be selected by the president of the convention. Delegates shall be elected in accordance with the provisions of the constitution as framed by the committee.

"The General Synod of the Evangelical Lutheran Church in the Confederate States of America," convened in Mount Pleasant, Cabarras County, North Carolina, on the 14th of June, 1866. The synod was composed of delegates from the Synods of North Carolina, Virginia, South Carolina, and Georgia—twelve clergymen and five laymen—seventeen in all. Rev. T. W. Dosh, of the Synod of Virginia, was chosen president on the first ballot, and Rev. D. M. Gilbert, of the Synod of Georgia, was reelected secretary. The synod changed the name from that above given to "The Evangelical Lutheran Synod of North America." As regards doctrine, it placed itself squarely upon the confessional basis, by striking out Section Three of Article Second of the Constitution, which read thus: "Inasmuch as there has always been, and still is, a difference of construction among us with regard to several articles of the Augsburg Confession, therefore we, acting in conformity with the spirit and time-honored usage of our church, hereby affirm that we allow the full and free exercise of private judgment in regard to those articles."

The "Lutheran Church of Russia" is placed under the "General Consistory," which has its seat at St. Petersburg, and at the head of which is, or was, in 1866, the Baron von Meyendorff. Subordinate to this general consistory are eight consistories, namely: St. Petersburg (with 75 churches), Moscow (57 churches), Livonia (seat at Riga, with 111 churches), Courland (seat at Mitaw, 112 churches), Esthland (seat in Reval, 46 churches), Oerel (seat in Arensburg, 15 churches), Riga City (11 churches), Reval City (4 churches). Total number of Lutheran clergymen, 431; of clergymen, 566.

## M

MACMASTER, Rev. E. D., D.D., a Presbyterian clergyman, college president, and professor of theology, born in Pennsylvania, in 1806; died at Chicago, Ill., December 10, 1866. He was a son of the Rev. Gilbert MacMaster, D.D., and was licensed to preach in 1829. In 1831 he was ordained, and became pastor of the Presbyterian Church in Ballston, N. Y. He was elected to the presidency of South Hanover

College, Indiana, in 1838, and to that of Miami University, Ohio, in 1845; to the chair of systematic theology in the New Albany Theological Seminary in 1849, and to the same chair by the General Assembly of the Theological Seminary of the Northwest, in 1866. He was actively engaged in the duties of the latter appointment when taken ill. Dr. MacMaster was one of the ablest and purest men in the



Presbyterian Church, to which he belonged. Possessing a vigorous and thoroughly cultured mind, and a well-balanced judgment, he succeeded in all he attempted. His expositions of Scripture, and his religious addresses and sermons, were exceedingly rich and instructive, and held the attention of all his hearers, while his influence over his students was unbounded. He had published several works, mostly on theological topics, and numerous occasional sermons, addresses, and controversial pamphlets.

**MAGNESIUM.** This metal has not yet come into general favor with photographers. Its cost, though greatly reduced, since the success of Sonstadt's method, and the practical difficulties in the way of its use, such as its want of steady and equable combustion and the production and diffusion of clouds of oxide, are objections which remain in force. It has been used in Europe in taking photographs of grottoes, caves, and other dark interiors, and produces fair pictures. As a general substitute for the actinic power of sunlight, it would seem to have found a successful rival in the new electric light of Mr. Wilde's apparatus. (*See ELECTRICITY.*) Experiments have been made with magnesium in England for purposes of signalling, but the British Government has not given it the sanction of its approval. Several valuable uses have been discovered for this beautiful new metal during the year, and it must still be regarded as the most important addition which has been made for many years to the stock of serviceable elements.

Mr. W. N. Hartley (*Chem. News*, No. 350) states that no hydrogen is evolved by the metal in solutions of phosphate of ammonia, the nitrates and sulphides of the alkalies and alkaline earths, permanganate of potash and peroxide of hydrogen. To the nitrates the ammonia salt is an exception; the evolution of gas being as brisk as from other salts. Most metals are precipitated by magnesium from their solutions, but he did not succeed in precipitating iron; the magnesium becomes blackened probably from a deterioration of metallic iron, but this disappears as the magnesium dissolves. He could not get satisfactory results with cobalt. Magnesium may be amalgamated like zinc, by shaking it in a bottle containing mercury covered with a layer of dilute sulphuric acid; when so treated it possesses the power of decomposing water violently. This amalgamated magnesium may be used instead of sodium-amalgam to act on an organic substance with nascent hydrogen. In testing for nitric acid by boiling cadmium with the solution, and after addition of acid testing with iodide of potassium and starch-paste, magnesium may be used with advantage. If a small battery be made of a piece of magnesium ribbon and platinum foil and this be placed in water very faintly acidulated, without the joining of the platinum and magnesium being immersed, the presence of nitric acid may be shown by its

conversion into nitrous acid, and the consequent coloration of paper dipped in the acidified liquid. Should the trace of nitric acid be very small, the action must go on slowly for several hours, in which case the liquid should be neutral when acting on the magnesium.

The alloys of magnesium, so far as known, are of no practical value. They are generally prepared by bringing magnesium wire into contact with the primary metals fused under a layer of salt, fluor-spar, or a mixture of the latter with cryolite. The alloys are invariably very brittle, and easily tarnished. The zinc alloy is the only one that is permanent; whilst, on the other hand, the alloys with lead and bismuth are quickly affected by the air. At a red heat the metal decomposes even carbonic acid; and when mixed with fine sand and strongly ignited a metallic silicide is formed, which disengages a spontaneously inflammable hydrogen compound by the action of water or dilute acids.

The electro-chemical properties of magnesium have been applied to a very useful purpose by M. Roussin. Hitherto in the toxicological examinations for metals, zinc has been exclusively used; but this metal, as met with in commerce, is always impure, and magnesium is now proposed as a substitute. Pure magnesium has the double advantage of rapidly and completely precipitating the poisonous metals without the danger of introducing any other poisonous substance. Arsenic and antimony are not precipitated, but they will be found in the gas disengaged and in the liquid remaining. The organic matter is first destroyed by the usual methods, the acid liquor concentrated, and then ribbons or bars of magnesium (now made expressly for the purpose) are introduced as long as any deposit is formed. The operation for arsenic and antimony may be conducted in a Marsh's apparatus.

Among the metals which M. Roussin has precipitated in the metallic state, by means of magnesium, from slightly acidulated solutions of their salts, are gold, silver, platinum, bismuth, tin, mercury, copper, lead, cadmium, thallium, iron, zinc, cobalt, and nickel. The precipitated metals, when washed, dried, and compressed, exhibit a high degree of brilliancy. The precipitated iron, cobalt, and nickel are highly magnetic. Magnesium does not precipitate aluminium at all, and chromium and manganese only in the form of oxides. The author states that a small plate of magnesium,  $\frac{1}{10}$  of a grain in weight, placed beside a copper plate in a small tube of glass filled with acidulated copper, produced in less than ten minutes an electro-magnetic appearance, and illuminated a Geisler's tube ten centimetres long.

MM. Deville and Caron have found that magnesium will burn brilliantly in an atmosphere of steam. They passed steam through a tube containing magnesium, heated by the flame of a spirit-lamp. The metal burnt vividly, liberating hydrogen. They tried the same experiment with zinc, and succeeded in making



that metal also burn in an atmosphere of steam, but a higher temperature was required.

In a paper read before the British Chemical Society, Messrs. Wanklyn and Chapman mention the inertness of magnesium with reference to the halogens. The metal is not even attacked by liquid bromine, and chlorine does not tarnish it until after a considerable exposure. Dr. Phipson had clearly pointed out that iodine may be distilled over metallic magnesium without the least trace of an iodide of magnesium being formed. As regards magnesium-amalgam, Dr. Phipson had stated that this compound cannot be formed in the cold; but Messrs. Wankley and Chapman found that mercury does act on magnesium in the cold, when the surface of the latter is polished and quite clean. The best method of obtaining the amalgam is to heat the two metals to nearly the boiling point of mercury, whereupon a combination takes place attended with very violent action, somewhat like that between mercury and sodium. An amalgam containing one part by weight of magnesium to two hundred parts of mercury swells up and becomes very hot when just moistened with water, and when immersed in water decomposes it violently. A magnesium-amalgam containing one-half of one per cent. of magnesium, decomposes water far more rapidly than a sodium-amalgam containing twice that proportion of sodium. It thus seems that the chemical affinities of magnesium are intensified by association with mercury, while those of sodium, which in a free state is so much more energetic a metal than magnesium, are diminished thereby. The chemical energies of magnesium are similarly affected when alloyed with tin.

A lamp for burning magnesium, invented by Mr. H. Larkin, has been exhibited in London and generally pronounced a success. The metal is burned in the form of a powder instead of ribbon or wire, and no clock-work or other extraneous power is needed. The metallic powder is mixed with a quantity of fine sand or other diluting material, and is contained in a large reservoir having a small orifice at the bottom through which the powder falls by its own gravity, like sand in an hour-glass. A metal tube conducts the stream of metallic powder and sand to a point where a small stream of common gas is introduced, and the mingled streams of gas and powder issue from the mouth of the tube, where they are ignited and burn with a brilliant flame as long as the supply of gas and metal is maintained. As the metal is consumed, the sand falls harmless into a receptacle provided for it, while all the fumes are carried away by a small tube chimney. Immediately below the orifice of the reservoir is a valve to regulate the supply of the powder, so that it may be turned on or off without putting out the light, thus giving it an intermittent effect peculiarly suitable for signals or light-houses.

MAHONEY, Rev. FRANCIS, a Roman Catho-

lic priest, journalist, and author, born at Cork, Ireland, about 1800; died in Paris, May 19, 1866. After obtaining a thorough knowledge of Greek and Latin in a school in his native city, he left Ireland and entered a Jesuit college in Paris, where he became familiar with French literature, and subsequently entered the University of Rome. After some years he took clerical orders, but having a decided taste for literature, abandoned his profession, and settling in London devoted himself to his pen, accepting an appointment on the staff of *Fraser's Magazine*. His popular essays for this journal, over the *nom de plume* of "*Father Prout*," were published in a collected form in 1836, and republished in 1860. Mr. Mahoney also contributed some of the earliest and best papers which appeared in *Bentley's Miscellany*, in 1837, and subsequently travelled for some years in Hungary, Asia Minor, Greece, and Egypt. In 1847 he accepted from Mr. Dickens the post of correspondent of *The Daily News* in Rome, and in 1849 published his letters, which were full of ardent zeal for the Italian cause, under the head of "Facts and Figures from Italy." He was for many years Paris correspondent of *The Globe*, and his witty, spicy style was an attractive feature in that paper. In 1864 he retired into a monastery, where he remained until his death. Mr. Mahoney was an able and rapid writer. He was an inveterate reader, and his quick and retentive memory enabled him to hold in readiness for use most of what he had read. Besides the languages mentioned, he had a thorough knowledge of English, French, German, Italian, and Spanish; and his wit and scholarship, added to the higher qualities of his heart, made him popular in the society in which he moved.

MAINE. The Legislature assembled at Augusta, on January 3d, and was organized by the choice of Republican officers in both branches. On the same day Governor Cony delivered his inaugural address. After a session of fifty-two days, the two Houses adjourned on the 24th of February, having passed 222 acts and 77 resolves. On the 23d, resolutions expressing confidence in the wisdom and patriotism of the Union members of Congress, and a belief in the equality of civil and political rights; approving of the efforts made in Congress to secure the elective franchise in every State, irrespective of race or color; and declaring that the Legislature believe the loyal citizens of Maine will give their hearty support to President Andrew Johnson in all proper efforts for a complete and perfect restoration of the Union on the basis of human rights, and the civil and political equality of the American people, irrespective of color, passed the House, and were concurred in by the Senate, with the exception of that relating to President Johnson.

From the report of the State Treasurer it appears that the whole amount received into the treasury in 1866 was \$2,244,761.99, and that the total available funds during the year, in-



cluding a balance of \$305,175.54 on hand on January 1, 1866, were \$2,549,937.53. The expenditures during the year amounted to \$2,317,745.04, and the balance in the treasury on December 31, 1866, was \$232,192.53. The financial credit of the State is reported to be well sustained, notwithstanding upwards of \$15,000,000 were contributed in one way or another by her inhabitants to the national cause during the war. Of this amount nearly \$12,000,000, representing the State debt and the debts of the various cities, is still owing. The permanent loans, represented by State bonds, bearing interest at six per cent., amounted at the close of 1866 to \$5,127,500 having been reduced during the year by the payment of \$37,000 which had matured. The temporary loan of 1865, made under the authority of law, in anticipation of the collection of the State tax for that year, to enable the treasurer to reimburse cities, towns, and plantations, for aid furnished in previous years to families of soldiers, amounting to the sum of \$947,141.50 was paid during the past year. Added to this, in the same period there have been invested in the bonds of the State \$123,000 for the sinking fund, which now amounts to \$246,000. The amount of scrip for soldiers' bounties issued under resolve of February 18, 1865, amounting to \$355,000, was payable at the treasurer's office, with interest, February 1, 1866. Provision was made for this by the State tax of the past year. The balance due the State by the United States is \$400,000.

From the report of the Superintendent of Public Schools, it appears that in 1866 the number of scholars in the State was 212,834; the number that attended summer schools, 114,823; average attendance, 88,743; whole number registered in winter schools, 123,756; average, 97,827. The ratio of attendance to the whole number of scholars was 43. The number of school districts in the State is 3,771. The average wages of male teachers is \$28.20 per month, and female teachers \$2.01 per week. The aggregate expenditures for school purposes was \$592,598.28. The permanent school fund amounts to \$212,735.79. Cumberland County raises the most money for schools, while Penobscot registers the greatest number of scholars that attend schools. York County raises \$2.30 per scholar, which is the largest amount. Aroostook raises \$1.66 per scholar, Penobscot \$2.91, Hancock \$1.64, Piscataquis \$1.72. There are 149 districts in which the schools are graded. There are 2,727 school-houses, of which 1,999 are reported in good condition. The normal school at Farmington is reported to be in a flourishing condition, and it has been proposed to establish a similar institution at Castine.

The report of the Adjutant-General of Maine, for the years 1864 and 1865, was published at the close of 1866 in two volumes, comprising over two thousand seven hundred pages. From this it appears that the military organizations from Maine remaining in the service at

the beginning of 1866 have all been mustered out. The whole number of men that Maine was called upon to furnish for the war was, according to the last statement from the War Department, 72,365. The number furnished, as appears by the Adjutant-General's records, was 72,955, showing an excess of 580 over the requirements of the call. These were distributed as follows: in land service—whites 66,076, colored 115; in the navy, 6,754. Of these the reenlistments were 3,400, and the number who paid commutation was 2,000, leaving 67,545 as the whole number of men who actually bore arms. It is estimated that 20,101 were either killed or seriously disabled.

The number of convicts in the Maine State Prison at the close of the year was 135, against 78 in 1865. Eighty-three were received and 26 have been discharged, or pardoned, or have died. The administration of the prison has been successful, paying its way, and leaving a balance of \$288.57. The annual report recommends enlargement of the prison, extensive repairs, and the appointment of a permanent chaplain. Two persons are in the prison under sentence of death. One of these has been in confinement twenty-three years, another twelve, and a third eleven. The profits of carriage-making by the convicts were over \$25,000. The total number of convicts since the establishment of the prison in 1824 is 1,866.

The lumbering business of the State for the past season—especially that of the Penobscot and Aroostook valleys—has been very prosperous. In consequence of the ample supply of water for sawing, and the demand for sale, the amount manufactured and sold has been very much larger than that of any year for a long time past, and the prices have been remunerative. The office of Surveyor-General of Lumber was established in 1832, prior to which date the number of feet surveyed is estimated at 200,000,000. The result of the whole survey in the State may be stated as follows:

Prior to 1832..	200,000,000	In 1863...	190,672,269
1832 to 1842..	610,407,541	In 1864...	174,436,272
1842 to 1852..	1,614,602,872	In 1865...	169,881,023
1852 to 1862..	1,737,117,099	In 1866...	237,147,606
In 1862.....	160,062,983		

Total amount of long lumber.... 5,094,327,665

Short lumber, namely, clapboards, laths, staves, pickets, etc., is estimated at one-quarter in value of the long lumber.

An important proposition relating to the railway system of Maine was agitated in the latter part of the year, and was to be brought to the notice of the Legislature of 1867. It was nothing less than to consolidate all the railroads east of Portland into one great corporation. In favor of the project it is urged that it will greatly reduce the cost of management, by simplifying the whole machinery, of which the public will reap a part of the benefit. By the union Portland would become the central point of the whole system of roads. The consolidated company it is supposed will be able to give more



vigorous aid in the extensions north and east from Bangor to the Aroostook valley, and to the New Brunswick line at St. Stephen. This last, it is said, will secure the early completion of the road across the province of New Brunswick, and thus establish the nearest and most feasible thoroughfare between Montreal and Halifax. The railroad to the Aroostook is of great importance in a national and military view in the event of a war with England, in giving to the United States Government the control of the valley of the St. John. The value of the extension from Bangor to St. Stephen, both for local development and national and international interests, is obvious to every one who looks at the map.

The most notable event in the history of Maine during 1866, was the great conflagration at Portland, on July 4th, by which from one-third to one-half the city, including nearly all the business portion, was laid in ruins. The fire commenced at a boot shop in High Street, and, aided by a strong southerly gale, was carried almost due north to North Street, on Munjoy, destroying in its career every thing within a space one and a half miles long by a quarter of a mile wide. The utmost exertions of the firemen could not arrest the progress of the flames, but availed only to prevent them from spreading in new directions. Upward of fifty buildings were blown up to check the flames, but with no perceptible effect, and the inhabitants could do little more than flee with their families to the upper part of the city, leaving their property to be destroyed. The only building not swept away by the fire was the custom-house, which, being fire-proof, escaped in a damaged condition. The handsome city and county buildings, on Congress Street, which were nearly fire-proof, and had been hastily stored with furniture, offered scarcely any resistance to the flames. Among other buildings destroyed were several of the handsomest and most valuable churches in the city, all the banks, all the newspaper offices, nearly all the printing-offices, all the jewelry and wholesale dry-goods establishments, and all the telegraph offices. The fire lasted into the afternoon of the 5th, taking about that time a westerly direction, in consequence of a change of the wind, but at the close of the day it was finally subdued. The result of the fire, it may be stated in brief, was to destroy property to the value of \$10,000,000, on which there was less than \$5,000,000 insurance, and to render a quarter of the population houseless and homeless. The latter were, as far as possible, received into the houses spared by the conflagration, but thousands lived for weeks in canvas tents, or in hastily erected barracks and huts, and were necessarily subjected to great hardships. To relieve their necessities subscriptions were started in every city or considerable town of the Northern States, from which over half a million dollars was received in contributions of money, food, and clothing. Much was also received from Canada. The native

energy of the population of Portland did not long succumb to this disaster. Within a few days, work was commenced in clearing away the ruins, and by the close of the year most of the business portion of the burnt district was rebuilt, and in a more beautiful and substantial manner than before. It is more than probable that, by the return of the anniversary of the fire, but few traces of the devastation will remain.

As Maine was the first State in which a thorough political canvass was possible on the issues raised by the conflict of opinion between the President and Congress on the subject of reconstruction, the result of the election was anticipated with great interest, as indicating what would be the general verdict of the people. The Republican Convention met at Bangor on June 22d, and nominated for Governor General Joshua L. Chamberlain. Of the resolutions adopted the following were the most important:

*Resolved*, That the Union party of Maine plants itself upon the doctrines of the Declaration of Independence; that we hold that all men, without distinction of color or race, are entitled to equal civil and political rights.

*Resolved*, That the joint resolution for the amendment of the Constitution of the United States, recently passed by the two houses of Congress, receive the emphatic indorsement of the convention of the loyal people of Maine.

*Resolved*, That we have full confidence in the Union Republican majority of Congress; that we recognize them as the true representatives of the loyal sentiment of the country; that we heartily approve the measures of reconstruction thus far adopted by them, and that they deserve and receive the earnest thanks of the loyal people of this State for their steadfast adherence to the great principles of liberty, justice, and equal rights, which should be the basis of a restored Union.

*Resolved*, That the services and sacrifices of those who formed the late Union army and navy, and the important consequences which have resulted therefrom, impose upon the country for all time an obligation of gratitude and regard for the living, as well as the dead, never to be forgotten or overlooked; and at the same time we acknowledge our great indebtedness for the all-important services and generous contributions of the loyal men and women of the country, which aided so much in carrying the nation successfully through the war.

A series of resolutions reported by the minority of the committee on resolutions denounced in strong terms the reconstruction scheme of the President, urged the hanging or banishment of Confederate ringleaders, and insisted that Congress should immediately provide for impartial suffrage throughout the United States, before the States lately in rebellion are entitled to readmission. They were, after protracted debate laid on the table, and the series above given adopted by a large vote.

The Democratic Convention assembled at Portland on August 3d, and nominated for Governor Eben F. Pillsbury. The following resolutions were unanimously adopted:

*Resolved*, That the majority of the Thirty-ninth Congress, by its failure to appreciate the fact that the country has passed from war to a state of peace,



by the vindictive spirit which has marked the tone of its debates, by its want of magnanimity and Christian charity toward the vanquished, by its unprovoked and unjustifiable warfare upon the National Executive, by its malignant hostility to the cordial reconciliation of the people of the country, by its refusal to admit into Congress any Senators and Representatives, thereby practically accomplishing what armed secession failed to accomplish, by the transfer of its legislative power to a despotic centralizing directory, by its wasteful extravagance in adding to the national debt and thereby creating a necessity for additional taxation, by its neglect to adopt measures for the contraction of the currency and an early return to specie payments, by its contempt for the Constitution, by its vascillating, sectional and fanatical policy, by its unequal, unjust and revolutionary legislation, and crowning its infamy by appropriating from the public treasury a half a million dollars as additional compensation for its worthless services, merits and receives our unqualified condemnation and rebuke.

*Resolved*, That we will hold all departments of the Government to its official and solemn declaration that the war was not prosecuted for any purpose of conquest or subjugation, but to maintain the supremacy of the Constitution and to preserve the Union, with all the dignity, equality and rights of the several States unimpaired; that the war having ended by the surrender of the insurgent armies, the people of the South are subject only to such penalties as the Constitution of our common country, and the laws passed in pursuance of it, may prescribe, and are entitled to all the rights which that Constitution insures to all the people of all the States.

*Resolved*, That in order to sustain the credit of the National Government, and that all its obligations may be promptly met, it is of paramount importance that taxation should be equally and impartially imposed upon all classes. To the end, therefore, that so desirable an object may be attained, and that a monstrous grievance may be abated, we invoke the public attention to the fact that, under the laws of the United States, more than two thousand millions of its bonds are exempt from State and municipal taxation, thereby creating a privileged order, and throwing upon the business, agricultural and working classes an undue proportion of the burdens of Government. Such a policy is unjust, reprehensive, and violative of the fundamental principles of our political institutions.

*Resolved*, That this Convention, in behalf of the Democracy of Maine, tender its thanks to Andrew Johnson, President of the United States, for his fearless defence of an assailed Constitution, for his patriotic efforts to harmonize a distracted country, and for his manly resistance to the usurpations of a revolutionary Congress, in which course of action we pledge him a cordial support.

*Resolved*, That we approve the call for a National Convention to be held at Philadelphia on the 14th day of the present month, and that we fully sympathize with its patriotic purposes, and recommend the election of delegates thereto.

After choosing four delegates at large to attend the National Philadelphia Convention on August 14th, the Convention adjourned.

The election took place on September 10th, with the following result for Governor:

J. L. Chamberlain, Republican.....	69,369
E. F. Pillsbury, Democrat.....	42,111

Majority for Chamberlain..... 27,258

The election for members of the Legislature resulted as follows:

## MARYLAND.

	Senate.	House.	Joint Ballot.
Republicans .....	31	138	169
Democrats .....	0	13	13
Majority.....	31	125	156

The election of Members of Congress had the following result:

Dist's.	Republicans.	Democrats.	Rep. Maj.
1....John Lynch....	15,611	L. D. M. Sweat, 11,653 ...	3,958
2....S. Perham.....	13,784	N. Morrill.....	7,363 ... 6,421
3....J. G. Blaine....	14,909	S. Heath.....	8,318 ... 6,591
4....J. A. Peters....	12,059	G. M. Weston..	6,564 ... 5,495
5....F. A. Pike.....	12,351	W. G. Crosby...	7,963 ... 4,378

MAPES, Prof. JAMES J., an agricultural chemist, lecturer on chemistry, and author, born in New York, May 29, 1806; died there, January 10, 1866. When a mere child, he evinced a taste for chemistry, amusing himself by some experiments which would have done credit to one of riper years. After serving many years as a clerk, he became a merchant at the age of twenty-one, and was extensively engaged in sugar-refining, in which trade he failed. In the mean time he gave much attention to the study of chemistry and the fine arts, and was appointed professor of chemistry and natural philosophy in the National Academy of Design. He was also a working member of many kindred societies in New York, and an honorary member of several European scientific associations. He was the inventor of some useful processes in sugar making and refining, which are still in use. About twenty years ago, having suffered severe pecuniary losses, he purchased a small farm near Newark, N. J., where he applied his chemical knowledge to agriculture, with success. He manufactured a fertilizer known as "nitrogenized superphosphate," which he applied liberally to his land, and obtained large crops therefrom. He also derived considerable revenue from the sale of this fertilizer, but the purchasers did not have the same success in its use as the professor himself had. A periodical, called the *Working Farmer*, devoted to agriculture, was established by Prof. Mapes. It treated agriculture as a science, and labored to ground a knowledge of the cultivation of land on true principles. Deep ploughing, draining, and heavy manuring were, in his opinion, the only means by which the farmer could hope for success. He delivered from time to time valuable lectures at agricultural fairs, and prepared articles upon scientific subjects for different journals, which have done much for the enlightenment of the public upon points of practical importance.

MARYLAND. This State has made the transition from slave to free labor with less violence to its social elements, and less disruption of its material interests than any of its sister commonwealths. Its citizens have applied themselves to their various pursuits with the utmost vigor, and its progress in wealth and its general prosperity have been most encouraging. A special session of the Legislature was held in January, which continued about six weeks. One of the most important acts passed, was a



stringent Sunday law, which went into operation the 1st of June. By its provisions, spirituous liquors of all kinds, including ale, lager-beer, cider, and even mineral water, cannot be disposed of without incurring a penalty. Neither cigars, snuff, or tobacco, can be sold, and all shops where such articles are ordinarily retailed, must be closed. Apothecaries' establishments are prevented from selling medicines, or any other article, except on authority of a prescription from a regular physician. Sunday newspapers are also interdicted; and the law imposes a fine of five dollars on every man who may be found working on the Sabbath, and doing that not included in the category of necessity and mercy. This law is declared, by those upon whom it weighs most heavily, to be unconstitutional, and they have appealed to the courts for relief. The remaining laws passed at this session of the Legislature, were strictly local in their character and possess no general interest. In April, a Fair was held in Baltimore for the relief of the destitute in the Southern States. The Fair was inaugurated under the auspices of the ladies of Maryland, was most liberally patronized, and proved a great success. The opening day was thus described:

Not in a long while has Baltimore presented such an animated and attractive appearance as was witnessed yesterday, except upon some great holiday occasion, when the bulk of the entire population is abroad to enjoy a respite from the monotony of everyday life. The principal thoroughfare and promenade—Baltimore Street—was throughout the day one vast crowd of beauty. Immense throngs of ladies, many of whom had been confined within doors by the inclement weather of March, were abroad in spring attire, a garb that never fails to enhance the charms of nature, no matter how lavishly the latter may have been bestowed. Quite a number of strangers, of both sexes—many of them drawn thither by the promising opening of the great Southern Relief Fair—were also to be seen upon the streets, and this, together with the bustle attendant upon the preparations for this great demonstration, in which so many ladies have taken an active part, served to heighten the attractiveness of the scene.

The total gross receipts of the Fair amounted to \$168,177.25. The expenses were \$3,607.28; leaving the net receipts at \$164,569.97. The greater portion of this sum was distributed as follows:

Virginia Committee, .....	\$27,000
North Carolina Committee, .....	16,500
South Carolina " .....	19,750
Georgia " .....	17,875
Alabama " .....	16,250
Mississippi " .....	20,625
Louisiana " .....	7,500
Florida " .....	5,500
Arkansas " .....	5,000
Tennessee " .....	12,500
Maryland " .....	10,000
	<hr/>
	\$158,500

New York, Pennsylvania, New Jersey, Massachusetts, Delaware, Ohio, Missouri, Kentucky, Rhode Island, South Carolina, Illinois, West Virginia, Washington City, Havana, England, France, and California, have all aided in this

noble work, and the grateful thanks of the association are tendered to all, in all parts of the country, who have given it their support.

By the munificence of George Peabody, Esq., an institution has been established at Baltimore which, it is believed, will prove not only an ornament to the city, but a benefit to the country at large. The project was started nine years ago, and is most comprehensive, including a public library which is to be accumulated in three sections. A series of lectures, especially on scientific topics; an academy of music, in which the highest instruction in the art shall be attainable, and a gallery of art. The government of the Institute is in the hands of trustees named for the purpose.

The buildings, which are spacious and imposing, occupy one of the finest sites in the city; the endowment is ample, and many are already reaping the benefit of the distinguished donor's liberality. The Institute was formally inaugurated on the 24th October, in the presence of a large audience comprising the beauty, fashion, and distinction of the Monumental City. Mr. Peabody was present, and was escorted by the committee of reception to the platform of the lecture room, on which were seated a number of the leading men of the city and State.

Governor Swann delivered a brief but felicitous address of welcome, to which Mr. Peabody replied in an earnest and impressive manner, referring in a few words to his former residence in the city, and closing with the following sentiment:

To you, therefore, citizens of Baltimore and of Maryland, I make my appeal, probably the last that I shall have ever to make to you. May not this Institute be a common ground, where all may meet, burying former differences and animosities; forgetting past separations and estrangements; weaving the bands of new attachments to the city, to the State, and to the nation? May not Baltimore, her name already honored in history as the birth-place of religious toleration in America, now crown her past fame by becoming the daystar of political tolerance and charity; and will not Maryland, in place of a battle-ground for opposing parties, become the field where milder councils and calm deliberations may prevail; where good men of all sections may meet to devise and execute the wisest plans for repairing the ravages of war, and for making the future of our country alike common, prosperous, and glorious, from the Atlantic to the Pacific, and from our northern to our southern boundary?

The financial affairs of the State are in a prosperous and satisfactory condition. On the 30th September, the close of the fiscal year, the total receipts into the treasury had been \$3,325,507.94, which added to the previous balance made the aggregate in the treasury during the fiscal year, \$3,758,439.94. The total disbursements during the same period were \$3,390,617.58, leaving a balance of, \$367,816.36.

By the act of 1862, the State was authorized to borrow \$2,500,000, upon the issue of her credit, to meet the extraordinary demands growing out of the impending war. In 1864, a similar act was passed, authorizing an additional loan of \$4,000,000, and in 1865, a still farther



loan of \$4,000,000, making a total, for which the State had pledged her credit, of \$11,500,000. These acts are still, in part, unrepealed.

Of this large amount only \$500,000 have been negotiated, increasing the permanent indebtedness apparently to that extent, and showing the condition of the bonded debt to be, in fact, without material variation up to the close of the year, notwithstanding the heavy amounts which have been disbursed, and which have been furnished from accruing revenue and other available resources, authorized by law to be made applicable to that object. But by the authority given to the treasurer by the act of 1863, to cancel and destroy all bonds except \$1,000,000 of the five per cent. stock represented by the sinking fund and its increments, an actual reduction of the funded debt was effected to an extent of \$4,509,074.51.

The disbursements of the State of Maryland for the support of the war, furnished from revenue and other sources, have amounted in the aggregate to \$4,212,470.02. Amount paid on account of volunteers from March, 1864, to 30th September, 1866, \$3,788,932.64; from 30th September, 1866, to 24th November, 1866, \$52,637.50. Total, \$4,212,470.02.

At the extra session of the General Assembly in January, an act was passed authorizing the Governor, Comptroller, and Treasurer, to sell certain stocks held by the State in various banking institutions and railroads, and to appropriate the proceeds of the same in payment of bounties and other floating obligations which had accumulated in consequence of the non-user of the defence or war loan, authorized to be issued by the general assembly at various times. This sale was effected at an opportune moment, under circumstances highly advantageous to the State, leaving outstanding and still to be disposed of, the State's interest in the Farmers' Bank of Maryland, amounting to \$55,500 of the stock of that bank, together with \$34,850 Central National Bank of Frederick, and some other and less available items, not necessary to be enumerated here. The receipts from this source amounted to \$840,695.91; the par value of the stock sold being \$773,374.66, the premium realized upon these sales amounted to \$67,321.25. By this arrangement, the treasurer was enabled to provide for every dollar of the floating debt then pressing upon him without a resort to the war loan above referred to, and the necessity avoided for any further increase of the funded debt on this account. The State, it is thus shown, has passed through the war, and the extraordinary demands attendant upon it, without recourse to the war loan, beyond the trifling amount before stated—say \$500,000. The whole liabilities, on account of outstanding bounties not yet provided for, it is estimated, will not exceed \$450,000, if it reaches that amount, which is more than balanced by the surplus remaining in the treasury at the close of the fiscal year.

On the 8th of August, a State Convention,

called by the Democratic State Committee of Maryland, assembled in Baltimore, for the purpose of taking action with reference to the Philadelphia National Convention, and with a view of coöperating with all conservative elements in restoring unity and the rights of all the States. After the convention was organized, a committee on resolutions was appointed, who through their chairman reported the following, which were adopted unanimously as fully expressing the sense of the delegates.

*Be it resolved* by the delegates of the Democratic and Conservative citizens of Maryland, assembled in general convention in the city of Baltimore, to consult together for the preservation of the Constitution of the United States, the restoration of the Union, and the dignity, equality, and rights of all the States, and the promotion of national harmony, that it is the paramount duty of all patriotic citizens, without regard to past political creeds or present political organizations, to coöperate for the rescue of the nation from the dangerous practices and doctrines which now threaten the destruction of our cherished form of government.

*Resolved*, That the courage, firmness, and prudence with which President Johnson has resisted the open efforts and secret machinations of the Radical majorities of the present Congress; his unceasing endeavors to establish all the States in their just representation in their National Legislature, and his humane and conciliatory policy towards those lately in arms against the Federal Government, accredit him to all men as the faithful, honored, and trusted Chief Magistrate of the American people.

*Resolved*, That the Constitution of the United States cannot be rightfully amended until the representatives of all the States shall have been admitted to an equal voice in proposing, and their several Legislatures to a free choice in adopting or rejecting, all contemplated amendments, according to the letter and spirit, and in the mode prescribed in that sacred instrument.

*Resolved*, That we recognize in the National Convention which is called to meet in Philadelphia, on the 14th instant, a gathering of the patriots and statesmen from every party and from every section of the United States, for the purpose of devising the most effectual means of sustaining the national administration, of completely restoring the Union under the Constitution, and of healing all sectional strife; and that we are prepared to hail their happy labors for the restoration as our fathers hailed the work of those who founded our beloved institutions.

*Resolved*, That the spirit of the call of the Philadelphia Convention would not be fully met unless each and all of the recognized political organizations of this and of every State who accept the national situation, and who desire to see a truly national convention assembled under the flag of our country, are represented by delegates in that convention; and it is the sense of this body that the Democratic, the Conservative, and the Union organizations ought to be distinctly represented in their individuality as well as collectively in the unity of their purposes and objects in that august assemblage. And therefore this convention do firmly accept the proffered faith of the Union convention which assembled in this city on the 25th of July last; and in return we pledge the delegates whom we shall elect to coöperate on fair and equal terms with the delegates whom they have appointed, to the end that all men may know that the patriotic hearts of Maryland are, as the heart of one man, devoted to the Constitution, the Union, and the Government of the United States.

The convention nominated — Leonard as candidate for the office of State comptroller.



The State Central Committee of the Unconditional Union party, in favor of the reconstruction policy of Congress, and opposed to the views of President Johnson, also called a convention, which met in Baltimore on the 15th of August. All the counties in the State but five, were represented. After organization, the convention decided to send ten delegates from the State at large, and ten from each congressional district, to the Convention of Southern Loyalists to be held at Philadelphia on the 3d of September. The following resolutions were the most important, reported by Mr. C. C. Fulton, chairman of the committee, and adopted by the convention.

*Whereas*, The Unconditional Union party of Maryland having safely passed through the perils of disorganization caused by the abandonment of its principles by Governor Swann and other state and national officials, who are now in full affiliation with "copperheads" and the leaders of the late rebellion, we are prepared to enter the new conflict for the safety of the Union, with renewed energy and devotion. Therefore, be it

*Resolved*, That we heartily indorse the Constitutional amendment as passed by Congress, regarding it as both fair and impartial to all the States; that we see nothing new in the refusal of Congress to exclude non-voting negroes from the basis of representation, as we in Maryland have made the white population alone the basis of representation in our House of Delegates.

*Resolved*, That whilst we are not in favor of extending the elective franchise to any class of persons now excluded from the same by the Constitution of Maryland and by the registry law, we are equally opposed to the representation of the freedmen of the South in the halls of Congress by those who have spilt the blood of loyal men on the soil of Maryland and elsewhere in the recent war.

*Resolved*, That we approve of the test oath enacted by Congress as a preliminary qualification to the admission of members from the rebellious States to their seats, holding that no man who has taken part in the late rebellion should ever be admitted to a prominent participation in the Government of the Union, which they labored so earnestly to destroy.

*Resolved*, That we will uphold the Constitution of Maryland, and maintain the registry law in all its provisions, until such time as the safety of the State and nation will warrant modification or amendment.

*Resolved*, That we hail with gratification, the evidence given throughout the loyal States of a determination to uphold the Congress of the United States in its efforts to reconstruct the Union upon the basis of earnest loyalty and unflinching support of the Constitution and the laws.

*Resolved*, That we regard the reconstruction policy of President Johnson as identically the same policy as that of Jeff. Davis and General Lee; and that those professed Union men of Maryland who have given in their adhesion to that policy are, necessarily, in affiliation with the leaders of the rebellion, and in antagonism to the loyal men of the nation.

*Resolved*, That we view with feelings of horror the details of the recent massacre of loyal men at New Orleans, which is the direct and inevitable consequence of President Johnson's policy; and we hold Governor Swann and all other indorsers of his policy as indirectly implicated in its terrible results, and responsible for a policy calculated to produce a similar condition of affairs in Maryland.

*Resolved*, That the thanks of all truly loyal men, are due to the soldiers and sailors of the Union for their bravery, their sacrifices, and their unflinching devotion; and we heartily approve of the measures

passed by Congress at its recent session for their relief.

*Resolved*, That it will be the duty of every loyal voter of Maryland to take an active part in the approaching campaign, thus to teach those who have been unfaithful to their trusts that they can only influence and seduce those who are office seekers and place hunters.

*Resolved*, That the Union party of the State, in view of the many instances of unfaithfulness and political treason on the part of many of those they have hitherto delighted to honor, should take warning from the past, and inquire closely into the principles and antecedents of those who are aspirants for their suffrages; especially in making nominations for Congress and the Legislature.

*Resolved*, That we are now, and ever will be, opposed to treason and in favor of human liberty and free government the world over—and hence we denounce the policy of President Johnson, which places the military power of the United States in the hands of the rebel Mayor of New Orleans, to crush out the Union sentiment of Louisiana, and on the other hand wields the same military power to strangle the efforts of the Irish people to establish a republican government for their native land.

*Resolved*, That we earnestly recommend a thorough reorganization of the Union Leagues of the State, as there is every reason to believe that the time has not yet passed for these active and efficient organizations to render good service to the State and nation.

The convention also nominated Robert Bruce as candidate for the office of comptroller.

At the election in November for the choice of comptroller, the total vote cast was 69,843, of which the Democratic candidate received 40,264 and the Republican 27,351. There were 1,568 votes given for an independent democratic candidate. Four Democrats and one Republican were elected to Congress.

Considerable excitement was caused on the 1st of November on account of the removal of the police commissioners of Baltimore by Governor Swann, and the appointment of others in their places.

The difficulty at one time assumed a serious and threatening aspect, and a riot appeared imminent. General Grant and some companies of United States troops were sent to the city to preserve order, but milder counsels prevailed, and the action of the governor, being sustained by the opinion of the best jurists of the State, was quietly acquiesced in, and the new commissioners began their duties without interruption.

The main facts relating to the difficulty arose out of the disqualifying features of the franchise law described in former volumes. The execution of this law was given to certain officers created by it. There was a board of registration, and for the city of Baltimore, a board of police commissioners. These last had the appointment of the policemen of the city and of the judges and clerks of elections. During the year 1865 a registration of voters was made, from which all were rigidly excluded who had not been known during the war as faithful Union men. Slight complaint was made, although, doubtless, much hardship was felt by those especially who had taken no active part



in the war for Southern independence. Before the charter election, which took place on the 10th of October, there was a new registration of voters partially made, but at the election the judges appointed by the police commissioners refused to recognize it, and threw out the votes of all whose names were not on the lists of last year. By these means the city was retained in the hands of those who held the power. The number of voters, according to the new registry lists, was about 25,000. The whole vote of the city was estimated to be 35,000. At the municipal election referred to, Mr. Chapman, the Republican candidate for mayor, received 5,405 votes, and was elected by a majority of 2,840, showing a total vote of less than 8,000. At first the Conservatives contemplated contesting the election, but upon deliberation it was thought a movement for the removal of the police commissioners and the appointment of new ones might be successful, and it was therefore undertaken. While this step would not affect the result of the election already made, it might, if effected in season, revolutionize the State at the November election, a matter of more importance, because the legislature then to be chosen would elect a United States senator to succeed Senator Cresswell. The Conservatives in two days procured nearly 10,000 signatures to a memorial setting forth the illegal acts of the police commissioners and their agents, and asking for their removal. The statements of the memorial were authenticated by one hundred and fifty affidavits of prominent citizens. To an address made to the governor when the memorial was presented by the chairman of the citizens' committee, the governor made a calm reply, promising to bestow on the subject that attention its importance and the character of those interested in the subject demanded. The commissioners were, therefore, cited to appear on the 22d of October. On that day they appeared by counsel, and, while admitting the governor's authority to remove them and appoint others, whenever they should be convicted of official misconduct, they denied the governor's authority to investigate the charges, contending that to the courts only that belonged. The governor, fortified by the legal opinion of Senator Reverdy Johnson, decided that he had the right to try them as well as to remove them, and appointed Friday, the 26th October, as the day for the investigation. The excitement having increased to such an extent that serious alarm was felt lest the friends of the commissioners should inaugurate a riot, and call to their aid, for the purpose of destroying the city, the organization called "boys in blue," Governor Swann immediately issued a proclamation, threatening, in case of such a movement, to use the entire power of the State for its suppression and the punishment of its authors. This cooled down the excitement. On Friday, the trial began according to appointment. That day, Saturday, and Monday were fully occupied in listening to the witnesses

for the prosecution, of whom a very large number were examined, mostly citizens of Baltimore, of high standing and unimpeachable character—at least the most rigid cross-examination failed to affect the credibility of their evidence. All the charges set forth in the memorial of the citizens were sustained. Tuesday and Wednesday ensuing the witnesses for the defence were examined, but they did not refute the general testimony adduced by the prosecution. After arguments of counsel, the case was closed Wednesday night. The next morning the governor rendered his decision, removing the commissioners and appointing a new board.

There has occasionally been a slight collision between the Federal and State laws, in regard to the colored people, certain parties attempting to enforce the enactments of the slave code, against the provisions of the Civil Rights Bill of Congress:

In November, a freedman convicted of crime was sentenced, in accordance with an old law of the State, to be sold for six months. As this action of the court was in direct contravention of the Civil Rights Bill, the case excited more attention than its intrinsic merits demanded. Those disposed to sustain the State law, alleged that the sale was really an act of clemency and a mitigation of punishment. The following version of the affair is from one conversant with its particulars:

Dick Harris was indicted for larceny of twenty pounds of beef from a butcher's shop in Annapolis. The offence was fully proved by two of his colored companions who saw him take the property, and it was found by the owner where Harris had concealed it. The judge before whom the case was tried, after a patient hearing, pronounced him guilty, which was no news to Harris, as he had admitted that he took the property, but insisted that he was so much intoxicated at the time that he was not responsible for his act. If he had possessed a white skin the judge would have been forced to send him to the penitentiary for a term from one to fifteen years. But availing himself of the discretion committed to him by the act of 1861, he ordered Harris to be sold within the State for six months. The awful sentence was carried into effect, and the innocent sufferer was bought by his brother for \$50, and is now at large working as his own master in Annapolis at \$8 a week. The practical result of the whole affair is, that for a crime which would have consigned a white man to the penitentiary, Dick Harris was fined \$50, more than one-half of which he says he has repaid to his brother already from his earnings. When the sentence was announced he was greatly delighted, and I suppose he would hardly thank any superserviceable friend who should contrive to have his sentence changed to confinement in the penitentiary.

As an offset to this case, the following one is presented, as indicating the disposition of the courts and people of the State to maintain intact all the provisions of recent Federal legislation:

Dr. A. H. Somers, of Rockville, Montgomery County, on the 22d of June, committed an assault upon a colored man in the streets of Rockville, beating him severely. This colored man's wife, on the day following the assault, sued out a warrant before a justice of the peace against Somers, on which he was arrested and arraigned before a magistrate. His



counsel argued that the warrant was illegal under the laws of Maryland, no negro or mulatto being a competent witness against a white person. The justice decided that the law had been abrogated and superseded, and was null and void, under the law recently passed by Congress known as the Civil Rights bill, and required Mr. Somers to give bail for his appearance before the circuit court. Somers refused, and the justice committed him to jail, whereupon his counsel applied to Chief-Justice Bowie for the writ of *habeas corpus*, which his honor refused, giving a written opinion sustaining the action of the justice, and maintaining the constitutionality of the Civil Rights bill, so far as it relates to the question in dispute.

Liberal provision has been made for the cause of public education in the State, and the whole system is under the charge of a Superintendent of Public Instruction, who reports a most encouraging and gratifying progress. By the able and untiring efforts of the officer in charge, a great work has already been accomplished, and no appropriation is likely to result in more practical and substantial benefits to all classes of the citizens, than the money devoted to this department. St. John's College, after a long period of suspension, has been reopened again under the most favorable auspices. Few institutions in the country offer greater inducements to the youth of the State, and it is believed that its means of usefulness will be greatly extended by the encouraging aid and liberal patronage of the people of Maryland. An agricultural college has also been reorganized, and will go into operation early in the ensuing spring.

The geographical position of the city of Baltimore is attracting renewed attention, since the close of the war, among capitalists and business men throughout the country. Large accessions to her population are being realized through a steady current of immigration from other States. Her real property has greatly enhanced in value, and the applications for dwellings and places of business are already largely in excess of the ability of the people to supply them.

The experiment of a line of ocean steamers, under the auspices of the Baltimore and Ohio Railroad Company, has proved entirely successful, and similar lines have been established and are now in operation with some of the most prominent points upon the Southern coast, promising at no distant day a complete renewal of trade and intercourse from that section. In the mean time, her manufacturing capital has been largely increased, and the amplest preparation made for a profitable interchange of the varied products of her manufactories, for the great staples of the South, which find here their most convenient point of shipment and conversion.

The act passed March 10, 1864, to provide for the organization and discipline of the militia of the State, expired by limitation on the 1st March, 1866, and the State is now without any militia system whatever.

At an early day this State directed its atten-

tion and contributed its means toward an enlarged system of internal improvements, resulting in the construction of the Chesapeake and Ohio canal and the Baltimore and Ohio railroad. Under able management, this latter work is making steady and rapid progress toward the accomplishment of its great destiny, and the realization of the most sanguine hopes of its founders. In his annual message to the Legislature, the Governor thus refers to this great work, and others within the limits of the State:

Within the past year it has paid into the treasury of the State \$760,088.70. Controlling without a rival the wealth of the Ohio and Mississippi valleys, the value of this road to the State of Maryland cannot be too highly estimated. A large amount of capital has been expended, and much work done since the first annual report, in giving increased power and efficiency to the road. The second track has steadily advanced. Some of the most important tunnels on the northwestern branch have been permanently arched, the control of the Winchester road has been secured, and a most valuable arrangement, mutually advantageous to both roads, entered into with the Central Ohio Railroad Company, for the future working of that important line, affording increased inducements for the most favorable combinations with the leading roads converging at Columbus, and the centre of the rich table lands of Ohio. With the Pittsburg and Connellsville road complete, which I look for at no distant day, in spite of the jealousies which have heretofore retarded its advance—the intersection of the Ohio River at Wheeling and Parkersburg already accomplished, and the certain occupation of the valley of Virginia, and the appropriation, at a still lower point, of the great arteries of the Southwest, I shall look with renewed pride, not only upon the energy and perseverance of our people, to which we are indebted for all this, but to the impregnable position in which, through their indomitable efforts and wise foresight, they have placed the great commercial centre of our State. In connection with this subject, it affords me pleasure to note the active preparations in progress to complete the Metropolitan road from Washington to the Point of Rocks, and the probable opening of the branch to Hagerstown as early as September next.

MASSACHUSETTS. The Legislature met at Boston, on January 3d, and was organized by the election of Joseph A. Pond as President of the Senate, and James A. Stone as Speaker of the House of Representatives, both of whom were Republicans. On the same day Governor Andrew, the retiring Governor, sent to the Senate a special message covering several important documents of local interest, and containing an elaborate statement of the financial and military operations of the State as connected with the late war. On the 4th he delivered a valedictory address to both branches of the Legislature, urging that the Government of the United States ought to require of the States lately in insurrection to reform their constitutions in such a manner as to give civil rights to the freedmen, and afford guaranties against a future outbreak. No reorganization he thought would be effective without a popular vote of the white race in favor of the guaranties required. "I am not," he said, "in favor of a surrender of the present rights of the Union to a struggle between a white minority, aided by the freed-



men, on the one hand, against a majority of the white race, on the other. I would not consent, having rescued those States by arms from secession and rebellion, to turn them over to anarchy and chaos. I have, however, no doubt whatever of our right to stipulate for colored suffrage. The question is one of statesmanship, not a question of constitutional limitation." On the 6th Alexander H. Bullock, the new governor, delivered his annual message to the Legislature.

The Legislature adjourned on May 30th, after a session of 147 days, having passed 301 acts and 105 resolves, besides defeating some fifty proposed laws. The great mass of its business consisted of new acts of incorporation, and modifications of old ones, authorities to local municipalities for new functions, remedies for defects in old legislation, etc. It refused any new legislation as to liquor selling, any interference with the hours of labor, any change in the rate of interest, the equalization of bounties to the soldiers of the war, the organization of a board of railway commissioners, and the prohibition of horse railway cars on Sunday. It appropriated half a million dollars to continue work on the Troy and Greenfield railroad and the Hoosac tunnel, and authorized the Western railroad to increase its capital to ten millions, in order to complete its second track, pay for the Hudson River bridge, and enlarge its stock of cars and locomotives. Considerable was done in the way of raising the salaries of State and county officers, and a special joint committee was appointed to review the question of State salaries in detail, and report to the next Legislature a permanent scale of payment. The principal legislation for the benefit of the soldiers was a law granting \$6 a month to every one disabled in the war, or to the family of every one killed. A new plan for the organization and maintenance of a State militia was adopted, and General Butler chosen its head. The publication of a list of all the soldiers of Massachusetts in the war was ordered. The State councillor and Senatorial districts were revised and established for the next ten years, and the House of Representatives apportioned among the several counties, which are to be sub-districted for the elections by the county commissioners. A plan for reducing the number of representatives in gross and for electing them for two years instead of one was postponed to the next Legislature.

The funded debt of Massachusetts, on January 1, 1867, was \$24,399,224.25, and the unfunded debt was \$2,947,903.16, amounting in the aggregate to \$27,347,127.41. This statement presents an apparent increase of the former during the year of \$5,268,789.25, and the decrease of the latter to the amount of \$1,043,473.84. This increase in the funded debt, which includes the loans to various railroad corporations, has accrued chiefly, Governor Bullock states, from the absorption of the temporary loans outstanding on January 1, 1866; from the investment of more than \$1,500,000 of cash belonging to the

various funds in the purchase of the bounty fund and Massachusetts war fund scrip; and from the addition of the difference between \$4.44 and \$4.84 per pound on the sterling bonds loaned to the Western Railroad, and the Troy and Greenfield Railroad corporations; these bonds having been originally computed at \$4.44, while their redemption must be provided for at \$4.84 per pound sterling. The unfunded debt has arisen mainly from advances in excess of the issue of scrip to meet expenses incurred on account of the Troy and Greenfield railroad and Hoosac tunnel; from the reimbursements to cities and towns of amounts paid to the families of volunteers; and from unexpected expenditures authorized by acts of special legislation in excess of previous estimates. Of the funded debt the sum \$6,826,196 is absorbed in loans made to railroad corporations, which are secured by bonds, mortgages, sinking funds, and collaterals. Of this debt the payment of \$22,005,568 is provided for by sinking funds, pledged and supplied each year for that purpose; and the sum of \$2,393,656.25, including the coast defence loan (\$888,000), and the three years loan (1,055,656.25), accrued without any special provision for its redemption other than the ordinary resources of the treasury. The accumulations of the debt extinguishment fund, from the increased value of its securities, of the union loan sinking fund, and of some other funds, promise largely to exceed the amount necessary for the redemption of scrip for which they are pledged. At the commencement of the year the treasury had upward of two millions of dollars in hand with which to retire the seven per cent. temporary loan, soon to commence its maturity, and to liquidate other portions of the unfunded loans and floating liabilities.

The aggregate expenditure of Massachusetts on account of the war, amounted to more than \$50,000,000, including that of her municipalities, and the sum thus far paid and payable directly from the State treasury is not less than \$30,000,000. Of this last-named amount, the sum of \$3,532,092.78 has been charged to the United States Government, under the provisions of the acts of Congress authorizing partial indemnification for expenses incurred by the loyal States; and a total reimbursement of \$2,555,749.74 has thus far been received on this account. Of the unadjusted balance of \$976,343.04, about \$30,000 remains to be submitted to the proper department at Washington.

The estimate of ordinary revenue for 1867 is about \$1,200,000, and of ordinary expenditures about \$5,000,000, including \$1,800,000 allowed for aid to disabled soldiers and the families of the slain, under an act of the Legislature passed in 1866.

The returns made by the Board of Education show that there were nearly ten thousand more pupils in the schools of Massachusetts in 1866 than in the previous year, and that the average attendance during the same period in-



creased more than eleven thousand five hundred. The amount raised by taxes for schools during the year was \$1,993,177.39, showing an excess of \$210,552.77 over the preceding year. The total sum expended on schools from taxes, funds, and other sources, was \$2,574,974.49, which is equal to the sum of \$10.09 for every person in the State between five and fifteen years of age. The percentage of the valuation of 1865 appropriated for public schools in 1866 was one mill and ninety-eight hundredths. Should this ratio be maintained for ten years longer, it is estimated that at the close of that period the sum to be appropriated will exceed \$6,000,000 per annum. The number of teachers of public schools in 1866 was, males 1,377; females, 10,885; all of whom received a greater amount of compensation than in the preceding year.

The entire cost of the Board of Charities for 1866, was \$1,900, from an appropriation of \$2,500; of the office of the secretary, \$8,000; of that of the general agent, \$12,000. The latter officer collected from immigrant head-money and other sources, and paid into the treasury, more than \$30,000—thus covering the entire expenses of the department and leaving a surplus of nearly \$9,000. While the State supported during the past year an average of two thousand three hundred and seventy-five paupers and lunatics, at a cost of \$300,000, the Board of Charities removed from the State or fully provided for two thousand more, who would otherwise have been supported at the public expense. The same agency has removed 17,000 of this class since 1857. The number of pauper lunatics supported in the lunatic asylums of the State on September 30, 1866, was 548, at the rate of \$3.25 per week for each inmate. The cost of these institutions to the State during the year was \$103,000. By an act of the Legislature of 1866 a State workhouse was established at Bridgewater, for the reception of inmates of the State almshouses convicted of vagrancy or leading idle or dissolute lives; and the establishment at Monson was converted into a primary school for the discipline and instruction of such children as appeared likely to be chargeable upon the State for a longer period than six months. This, it was supposed, would prove greatly to the advantage of the latter class. The experiment has proved successful, and the primary school at Monson at the close of the year contained 445 pupils, who would compare favorably in acquirements and discipline with those in the majority of district schools. In the course of a year the two institutions are expected to assume their peculiar distinctive character. The only State almshouse now left is that at Tewksbury, which, by the last report, contained 780 inmates. The aggregate population of the three establishments is 1,800, who cost the State \$170,000 per annum. The hospital at Rainsford Island in Boston Harbor, is hereafter to be occupied for quarantine purposes only. The School for Idiotic and Feeble

Minded Youth, the Asylum for the Blind, and the various institutions of reform and correction, were reported at the close of the year in good condition. The State prison at Charlestown is now nearly or quite self-supporting.

From an abstract of the industry of Massachusetts prepared by the Secretary of State in 1866, it appears that the aggregate amount of industrial products for the year ending May 1, 1865, was \$517,240,613; the amount of capital employed, \$174,499,950; the number of persons employed, 271,421 in manufacturing, and 68,636 in agricultural pursuits. In 1855 the persons employed numbered 245,908; the amount of capital was \$120,693,258; the amount of products, \$295,820,682. The heaviest productions were cotton goods, \$54,436,881; woollen goods, \$48,430,671; calico and mousseline de laine, \$25,258,703; paper, \$9,008,521; clothing, \$17,743,894; tanning and currying, \$15,821,712; boots and shoes, \$52,915,243; coastwise freights, \$11,319,394; hay, \$13,195,274, and horses, oxen, cows, etc., \$19,154,790.

There are within the borders of the State 46,904 farms, valued at \$152,946,658, and cultivated in part as follows:

	Acres cultivated.	Product.	Value.
Cranberries .....	3,833	35,167 bush.	\$102,865
Tobacco .....	5,617	9,361,641 lbs.	1,616,396
Onions .....	832	210,670 bush.	321,604
Potatoes .....	42,158	3,826,540 bush.	2,607,202
Corn .....	67,588	1,986,540 bush.	2,905,357
English, meadow and salt hay .....	682,234	622,671 tons.	13,195,274

The report of the commissioner of savings' banks shows that the amount of deposits in one hundred and two institutions was \$67,717,947.80, an increase over 1865 of \$7,781,465.28.

The cod fishery of Massachusetts in 1866 was on the whole successful, while the mackerel fishery showed a falling off of 25,099 barrels from the previous year. Fishing is declared by the Massachusetts journals to be an unprofitable business, even in that State, where it has always been prosecuted with most skill and enterprise, and it is predicted that the fisheries must pass from New England as a prominent employment, and eventually be established further east, where the population can engage in them without additional employment.

The act of 1866 for organizing the militia of Massachusetts provides that all able-bodied citizens, between the ages of eighteen and forty-five, with certain exceptions, shall be enrolled in the militia. The enrolled militia, however, are not to be subject to active duty unless called upon in case of invasion or riot. The active militia will consist of volunteers, who, in any emergency requiring the exercise of military force, will be the first required to render service to the State. Of this class of troops there are to be one hundred companies of infantry, eight of cavalry, and five of light artillery. Arms and equipments are to be provided by the State, and annual encampments are to be held for the purpose of inspection, drill, and in-



struction. Of the 158,380 men furnished by Massachusetts during the war about three hundred remained in the service at the close of 1866, principally in the regular army. They are the remains of the three years men who enlisted in 1865, and are drawing bounty from the State. The adjutant-general of the State is engaged in preparing a record of the Massachusetts soldiers who served in the war. It will give full and authentic particulars of the name, rank, age, bounty, and residence, of each volunteer, and the reasons for retiring, as death, disability, desertion, etc. The record, it is computed, will make a work of two volumes, covering one thousand pages each.

The annual report of Major Edward J. Jones, high constable of the State, shows that there are but sixty-nine men on the force. In the county of Suffolk, of which Boston is the greater part, there are twenty officers on duty, who have, in the period of eleven months, prosecuted 4,237 persons, being an average of two hundred and thirty-four per month, eighty-two per week, fourteen per day, and two hundred and twelve to each officer on duty. The appropriations for the constabulary for the year was \$88,650; expenses, \$79,153.85. There has been paid into the county treasuries \$51,886.61 for fines, etc., and \$3,000 to the secretary of the commonwealth for pedlers' licenses. The number of prosecutions during the year were 7,715, of which 3,307 were for keeping liquor nuisances, 2,240 for being common sellers, 163 for gambling, 869 for violation of the Sunday law, 119 for drunkenness, 63 for larceny, etc. The total amount of stolen property recovered was \$4,276.75. There were 242 liquor seizures during the year; amount seized, 21,493 gallons; 1,347 liquor dealers have suspended the traffic, of whom 512 were in Suffolk County. The amount of liquor destroyed by order of the courts was 2,596 gallons.

The stringent prohibitory liquor law of Massachusetts was resisted in various ways by persons opposed to it. Early in March the constitutionality of the law was tested before the United States Supreme Court, at Washington, in the case of the Commonwealth of Massachusetts, defendant in error *vs.* John McGuire, plaintiff in error. McGuire had been convicted of selling liquor contrary to the statutes of the State in the State courts. His defence was that he was licensed to sell liquors as a wholesale dealer under the act of Congress providing for internal revenue. The court on the trial ruled that that license was no defence, and that it did not give the accused authority to sell liquor in violation of the statutes of the State. A writ of error was then sued out, and the cause went to Washington for review, it being made a test case for several thousand similar ones pending in Massachusetts. The decision of the United States Supreme Court was rendered a few weeks later, and fully sustained the rulings of the State tribunals.

The twenty-third registration report of

Massachusetts, comprising the vital statistics of 1864, was published in May, 1866. From this document it appears that in 1864 the number of children born in the State was 30,449, viz.: males, 15,634; females, 14,745. In the same year 12,513 couples were married, a larger number than ever before reported in one year. Of these 7,574 were Americans—the remainder (4,939) being either foreigners or mixed. The above figures show an increase of marriages of 1,640. The number of deaths was 28,723, of which 14,964 were males, and 13,689 females. The relative proportion of deceased Americans and foreigners remains nearly unchanged for a few years past. The percentage of Americans in the year 1862 was 85.53 per cent. of all deaths, so far as stated; in 1863 it was 85.45 per cent.; and in 1864 it was 85.10—a diminution in three years of only 43 of one per cent. Of Americans 51.64 per cent. were males, and 48.36 were females; of foreigners, 54.78 were males, and 45.22 per cent. were females. There were among Americans 89.3 females to 100 males deceased; and among foreigners only 82.5 females to 100 males. During six years, from 1854 to 1859, inclusive, the average percentages were: American, 83.88; foreign, 16.12; and during the last five years (1860-'64) it is, American, 85.24; foreign 14.76; being an average for the eleven years of 84.56 per cent. American, and 15.44 foreign—showing on the whole a comparative decrease in the deaths of foreigners. The causes of death, setting aside deaths in battle, do not vary much from those specified in previous reports. Of drowned persons there were 151, and 90 deaths took place from railroad accidents. Of deaths by intemperance there were 137, of which 93 were males and 44 females. Of deaths in battle, or from disease contracted in the field, 3,099 Massachusetts men died during 1863-'64, and 1,878 died in rebel prisons. To these numbers those missing must be added, the whole number having a marked influence in determining the mortality average. The order of the counties, with respect to the rate of mortality, beginning with the lowest, is: Dukes, 1.64; Berkshire, 1.91; Barnstable and Nantucket, 2.00; Bristol, 2.12; Franklin, 2.15; Middlesex, 2.20; Norfolk, 2.26; Plymouth, 2.28;—(these are below the average for the State, 2.33;)—Worcester, 2.37; Hampden, 2.58; Hampshire, 2.68; Suffolk, 2.81. The oldest person in the lists of deaths recorded of six persons over a hundred years, was 104 years of age. Two were foreigners. Two were males and four females. Of fifty-seven individuals recorded as over one hundred years of age, twenty were males and thirty-seven—about 65 per cent.—were females. The average age of the sexes was nearly equal, viz.: 101.4 years for the males, and 101.6 for females. Nearly every one had been married.

The population of the State is approximately stated at 1,267,329, being a decrease, according to the census of 1860, of 9,043. This decrease



is shown to be, in Barnstable County, 1,051; Bristol, 4,289; Dukes, 203; Franklin, 92; Nantucket, 1,264; Plymouth, 1,694. The absence of sea-faring people engaged in the naval service is alleged to account for the falling off in the coast towns. According to this estimate of the population, there is one living child for every 41.38 persons; one person out of every 50.34 married; and one death to not quite 44 of the population—the largest ratio of deaths that has yet been recorded. Compared with the returns of 1860, we have 5,602 fewer births, 109 more marriages, and 5,665 more deaths—showing the disturbing influences of the war on the ordinary relations of births, marriages and deaths. The births have diminished in Berkshire, Franklin, Middlesex and Suffolk Counties, and have increased in all the others. The deaths have increased in all the counties excepting Berkshire, Franklin, Hampden, and Plymouth. The average age of those who died was 28.30, an addition of four-tenths of a year to the duration of life. The extremes of the ratio are 36.30 years in Franklin County, and 23.75 years in Suffolk County.

In connection with the vital statistics of Massachusetts may be mentioned an address delivered by Dr. Nathan Allen, of Lowell, before an agricultural society of the State, in which he asserted that the native population was rapidly diminishing, as compared with the foreign element. In 1860, he said, the foreign population produced nearly one thousand more children than the entire American population; and he added that the American births are less than the American deaths, and that the size of American families is becoming less with every generation. The records of different towns have been examined to verify these statements. In one town the first generations averaged 9.50 children to a family; the second, 7.31; the third, 7.69; the fourth, 7.25; the fifth, 4.90; the sixth, 2.84. In all the towns examined the first settlers, on an average, had in each family from 8 to 10 children; the three succeeding generations ranged from 7 to 8 to each family; the fifth about 5; while the sixth decreased to less than 3. In one small town, settled in 1655, the records attest that there were 26 families with 10 children each; 20 families with 11 children each; 24 families with 12 children each; 13 families with 13 children each; one family with 15, and one with 21 children. Eighty-five families could show 973 children. "Then," he says, "large families were common—now the exception; then it was rare to find married people having only one, two, or three children—now it is very common! Then it was regarded as a calamity for a married couple to have no children—now such calamities are found on every side of us; in fact, they are fashionable." Again, those counties of Massachusetts which contain the least of the foreign element, returned, in 1864 and 1865, more deaths than births: and all the cities and towns which contained a large foreign element re-

turned more births than deaths. An analysis of the births in every case shows, he asserts, that it is the foreign element alone which is augmenting the population by natural increase, and that those counties which are purely American are declining in population. And this American decrease is not confined to the cities, but is quite as general in the country towns and rural districts.

The conclusions reached by Dr. Allen, in regard to the degeneracy and diminution of the native population of New England, are not received with assent by the medical profession. Thus, when he says that in Massachusetts such a number of American and such a number of foreign children are born, it is the nativity of the parents which guides him in his application of the adjectives "American" and "foreign;" but when he comes to speak of the number of deaths in Massachusetts, the nativity of the parents no longer governs him, but the nativity of the person deceased. By such a method, he reaches results which wear an unfavorable appearance. The error of his conclusions, so far as concerns the single case of Boston, is shown by a writer in the *Medical and Surgical Reporter*. Dr. Allen says that in 1865 the births in Boston were as follows: Foreign, 3,575; American, 1,641; unknown, 60. The deaths in the same year were as follows: Foreign, 1,398; American, 3,143. Here, he says, the whole number of births exceeded the whole number of deaths by 734; but the deaths of Americans exceed the births by 1,520. But, in order to be counted by Dr. Allen as a foreign decedent, it is necessary that the deceased person should have been born abroad; when counted as a foreigner in the list of births, he only exacts that the child's parents, or one of them, should have been born abroad. But should the computation of births and deaths alike be made with reference to parentage, the following result appears: children of American mothers, 1,650; of foreign, 3,587; of unknown, 38; total, 4,541. Decedents of American parentage, 1,245; of foreign, 2,868; of unknown, 428; total, 4,541. The results of the correct calculation may be summed up as follows: American parentage—births, 1,650; deaths, 1,245; gain, 405. Foreign parentage—births, 3,587; deaths, 2,868; gain, 719. Unknown parentage—births, 38; deaths, 428; loss, 390. So, instead of a loss of 1,502 to the native American population, there really is a gain of 405—relatively a greater gain than that to the foreign-born population.

An act of the legislature of 1866 imposed upon the Governor and Council the general supervision of the work upon the Troy and Greenfield railroad and Hoosac tunnel, and the duty of visiting and inspecting the same at least once in each year. In accordance with this provision, Governor Bullock visited and inspected the works at the tunnel three times in 1866. In accordance with another provision of the same act, Benjamin H. Latrobe, of Balti-



more, was appointed consulting engineer of the tunnel. A contract has been entered into for the completion of the railroad from Greenfield to the eastern portal of the tunnel, and that portion of the road has been leased to the Fitchburg and the Vermont and Massachusetts railroads at an annual rent of \$30,000. By the contract, the road is to be opened to the tunnel by July 15, 1868. The progress in the work of the tunnel, during the year, was twelve hundred and forty-six feet, being four hundred and forty feet in excess of the year previous. The course of the work has been retarded by the introduction and experimental use of automatic drills, in the eastern opening. By reason of constant breakage, cost of replacement, and delay of the work, these machines have failed to answer their design, and have been discarded. New explosive agents have been employed, and promise favorable results. The process of blasting by simultaneous explosions, by means of electricity, has proved successful. At the west shaft the old pumps have recently given out, and the water gained so rapidly upon the miners that work at this point was for the time discontinued; but new pumps have been secured, and the work will be resumed. Operations in the decomposed rock at the west end have been, during the past season, slowly but successfully progressing. There is no reason to doubt that this portion of the work, hitherto deemed insurmountable, will be surely, but at great expense, accomplished, and that its completion will be in advance of that of the other leading parts of the tunnel. The central shaft is advancing satisfactorily, having reached a depth of about 400 feet, leaving 630 feet yet to be completed. Such was the condition of this work at the close of 1866.

The election in Massachusetts in 1866 was for the purpose of choosing a Governor, and other State officers, a Legislature, and members of Congress. The Republican State Convention met at Boston, on September 13th, and re-nominated Governor Bullock and his coadjutors in office, after which it adopted an address to the people of Massachusetts, of which we give two or three extracts:

After stating that the people have beheld "the strange spectacle of the President of the United States deliberately placing himself at the head of a combination of half-reconstructed rebels and their defeated Northern allies, going about the country accompanied by a portion of his Cabinet and denouncing the legislative branch of the Government as an illegal and traitorous body hanging upon the verge of the Government, which Government he alone proposes to be, and avowing principles and purposes, the logical results of which must be a violent attempt to subvert Congress, or at the very least a repudiation of all its legislation since the war broke out;" the address continues: "We cannot be insensible that until the term of this dangerous man shall expire, all the financial and business interests of the country will be subject to disturbance; all the legislation of Congress is liable to overthrow or a denial of its validity; the amendment of the Constitution prohibiting slavery is of precarious and doubtful permanence; and there is most imminent

danger of losing every thing which we won by successful war on land and sea."

It then declares:

1. That Congress ought not only to be sustained, but strengthened at the coming elections throughout the country.

2. That the country has already suffered enough from the presence of traitors in the Capital, and the greatest caution against the entrance of disloyal conspirators or half-constructed Unionists ought to be exercised, and no States or communities ought to be represented in the Senate or House unless evidence is given satisfactory to the representatives and people of the North and the loyal people of the South, that such States or communities, as well as the men chosen to represent them, are loyal and likely to remain so.

3. That so long as there exists a party dominant in some of the States and defiant in all, which hopes by Presidential aid to break down the Congressional control over the question of reconstruction, and re-instate in their seats the representatives of treason and rebellion, the people have no security, except in their own continued vigilance, against a disastrous reaction which may put back the cause of progress many years, and disgrace the country in the eyes of the civilized world.

4. That we desire the restoration of all the States to the Union, under conditions of justice and liberty; that we approve the amendment to the Constitution proposed by Congress and now pending before the States, and that we are fully prepared to believe the declaration of the Southern Unionists, made at Philadelphia, that there can be no safety to the country until the national birthright of impartial suffrage and equality before the law be conferred upon every citizen of the States they represent. The principles and traditions of the Commonwealth impel her to second this demand, so solemnly made, for the enfranchisement of a long-oppressed race, and the establishment of an American and democratic policy of government. Finally, fellow-citizens, we recognize the fact that all questions of reconstruction, of suffrage, of protection to the freedmen, of security to the persecuted Unionists of the South, resolve themselves into these: Shall the people who saved the country still control it? Shall the soldiers of the Union, whose bravery decided on the field the fate of the war, and whose services will be held in everlasting remembrance, reap the rich results of their labors in a regenerated country? In the words of an eminent Tennessee loyalist, now the guest of the people of Massachusetts, "Shall we reconstruct the rebels, or shall they reconstruct us?"

The National Union State Convention, composed mainly of conservative Republicans, and of persons who sympathized with the political views of President Johnson, met at Boston, on October 3d, and was attended by about 1,800 delegates. Theodore H. Sweetzer, of Lowell, was nominated for Governor, with the following additional officers: for Lieutenant-Governor, Brigadier-General Horace C. Lee, of Springfield; for Secretary of the Commonwealth, Colonel Luther Stephenson, Jr., of Higham; for Attorney-General, William C. Endicott, of Salem; for Treasurer of the Commonwealth, Harvey Arnold, of Adams; for State Auditor, Major-General Arthur F. Devoreaux, of Roxbury. The convention then adjourned.

The Democratic State Convention met in the same place, on the same day, and, deeming it inexpedient to make independent nominations,



pledged a cordial support to the State ticket nominated by the National Union Convention.

The election took place on November 6th, with the following result for Governor:

Alexander H. Bullock, Republican..... 91,980  
Theodore H. Sweetzer, Nat. Union and Dem.. 26,671

Majority for Bullock..... 65,309

The other candidates on the Republican ticket were elected by majorities about as large as this. The following was the result of the election for members of the Legislature:

	Senate.	House.	Joint Ballot.
Republicans .....	40	229	269
Democrats.....	0	11	11
Majority.....	40	218	258

Among the Republican members elected were two colored men, Edward Garrison Walker, from Charlestown, and Charles L. Mitchell, from Boston. The latter had been a lieutenant in the 55th Massachusetts (colored) Regiment during the war.

The election for members of Congress resulted in the choice of all the Republican candidates—ten in number.

MAY, HON. HENRY, member of Congress from Maryland, born in the District of Columbia; died in Baltimore, September 24, 1866. He received a liberal education, and adopted the profession of law. From 1853 to 1855 he represented Maryland in Congress, and was afterward reelected, being the immediate predecessor of Henry Winter Davis. Mr. May was able, upright, and honorable, and distinguished himself by the extent of his legal knowledge, and the eloquence and force of his arguments. His literary abilities were of a high order. For the past five years he had been withdrawn from his profession and public life by illness.

McELIGOTT, JAMES N., LL. D., an American educator and author of school text-books, born in Richmond, Va., October 3, 1812; died in New York City, October 22, 1866. His early years were passed in his native city until the age of twelve, when he removed to New York, and entered the celebrated school of Mr. Forrest, and subsequently the New York University. He did not graduate, however, having accepted the position of classical teacher, from which he rose to that of vice-principal, and later still, became associate principal. Shortly after, he was tendered the control of the Mechanics' Society School, which he conducted with great success until he resigned, with the view of establishing "McElligott's Collegiate and Classical School," which he continued till his death. Thoroughly devoted to the interests of education, Dr. McElligott spent his leisure time in the compilation of works calculated to assist the student in his search for knowledge, among which may be mentioned, "The American Debater," "Analytical Manual," "The Young Analyzer," "The Humorous Speaker," and "The Humorous Reader," the two latter

under the *nom de plume* of "Oliver Oldham." He was also the author of various lectures, addresses, and essays, and was for a time editor of the "Teachers' Advocate," a journal devoted to literature and science. For several years previous to his death he had been engaged upon a Latin grammar, and was also preparing a rhetoric, for the press. He had some merit also as a poet. In 1839 he was chosen president of the New York State Teachers' Association, and he had been for several years Corresponding Secretary of the New York Sunday School Union. Dr. McElligott was well qualified for the responsible position of an educator of youth. His scholarship was thorough, his address elegant, and his nature a happy union of gentleness and firmness, which, together with his deep-toned piety, gave him an unbounded influence over all with whom he was brought in contact.

MECKLENBURG, the name of two grand-duchies in Germany, both of which, during the German-Italian war sided with Prussia, and after the war joined the North German Confederation. The imports of the two duchies are valued at about 1,400,000 thalers. I. Mecklenburg-Schwerin. Grand-duke, Frederick Francis II., born in 1823; succeeded his father in 1842. Area, 4,701 square miles; population, in 1864, 552,612 (Roman Catholics 850, Reformed 184, Jews 3,100, the others are Lutherans). The capital, Schwerin, has 23,265 inhabitants. Public debt, in 1865, 7,849,950 thalers. The army consists of 5,386 men. The number of vessels entering the ports of Warnemünde (Rostock) and Wismar, in 1865, was 996; the number of clearances 992. In 1865 Mecklenburg-Schwerin possessed 424 vessels (among them seven steamers) with 51,338 lasts. II. Mecklenburg-Strelitz. Grand-duke Frederick William, born in 1819; succeeded his father in 1860. Area, 997 square miles; population, in 1860, 99,060. The capital, Strelitz, had, in 1865, 7,902 inhabitants. The army consisted of 1,317 men.

MEGASS, PREPARATION OF FUEL FROM. Dr. H. Mitchell, of Trinidad, in an article in the *Journal of the Society of Arts*, November 11, 1864, calls attention to the subject of the most economical curing and use of the cane-stalks or trash from the mills for expressing cane-juice, which is known also as *megass*, or *bagasse*; and which, besides being the chief fuel actually used in the sugar-manufacture, has been declared the best form of fuel for the purpose intended; and he describes also a machine for the rapid drying, preparatorily, of the cane-trash.

The crushed canes, usually containing still some 35 per cent. of juice, equivalent to at least 5 per cent. of sugar, along with the original 10 per cent. of woody fibre, when packed away in the immense sheds known as "logies," and left to the natural course, undergo fermentation, the sugar giving place to acetic acid and water, and which, unless a long time is allowed to dry them out, have the effect of retarding



combustion; while, further, such damp fuel protracts the hours of boiling into the night, leading to evils well known to the proprietors; and the logies, filled with the cane-stalks, are liable at any time, from accident or design, to disastrous conflagration. The attempt, on the other hand, to dry the cane by spreading it on the ground, exposed to the sun, renders necessary the work of a large number of extra hands.

To obviate these disadvantages, Mr. H. Warner has invented a machine for rapid drying of the crushed canes, and which he calls a "Megassicator." A large, upright, cylindrical chamber—which, along with a fan-blower, is driven by a small independent engine—is so placed as to receive the megass directly from the rollers, and upon the uppermost one of a succession of three or four ways or webs of iron, along which during the movement of the machine the canes advance automatically and slowly, being meanwhile exposed to a current of hot air from the chimney leading from the boilers, thrown in by the blower (an adjustable damper admitting so much external air as to avoid combustion of the megass), until, finally, the dried stalks are delivered below, at or near the mouth of the furnace for the boilers.

With a small machine, webs 6 feet wide and of a total length of 60 feet, and a suitable blower making 250 revolutions per minute, the megass, advancing 5 to 7 inches per minute, and taking  $1\frac{3}{4}$  to  $2\frac{1}{4}$  hours to go through, was delivered a quite dry material of woody fibre and sugar, ready and in place for immediate use. The machine thus adds 50 per cent. to the fuel secured; requires very little attendance; by the fan-blower would save the erection of a tall chimney; and, in use, economizes labor and time, and of course expense. Even with it, however, the highest economy is to be secured only when the greatest possible percentage of sugar is at first extracted from the cane.

MESSIAH, CHURCH OF THE, a religious sect in the United States, which, in 1866, attracted considerable attention by establishing an agricultural colony at Jaffa, in Palestine. Of the founder of the sect, the *Boston Congregationalist* gives the following information:

"Parson Adams," as he is called, was, twenty years ago, or thereabout, a lecturing Mormon elder. Citizens of Boston may remember eulogies on the martyr-prophet of Nauvoo, near the time of Smith's death. He gained in this school, undoubtedly, much of that skill in manipulating impressible characters, which he really manifests in a remarkable degree. Perhaps it was no disadvantage, either, to his future character as the founder of a new fanatic movement, that he next appears in the character of an actor on the stage. Less promising was the qualification of notorious drunkenness, which, somewhat later, he eminently possessed. But for this, perhaps, he regarded himself as no longer reproachable, when, after some kind of preliminary experiences, he came out—as he asserts—a regularly ordained Methodist minister. It was some time in 1863 that Parson Adams appeared in Eastern Maine, accompanied by his wife, the professed partner with him in some portion of his inspiration. In the midst of a rather illiterate and religiously-destitute community at

Jonesport, Maine, he began to preach and to establish the "Church of the Messiah." The only conditions of membership were immersion and belief in his apostolic character. The Parson gained a good deal of ascendancy over many minds, and fully persuaded them of his inspired authority. Like Mohammed, time and space were sometimes annihilated in his favor. Frequently absenting himself from his followers for a day or two, he would return, having mean time visited Jerusalem, and received new communications respecting the great colonial enterprise! To defray the expenses of this enterprise, he persuaded his people to give their money into his exclusive control. Good farms were sold, and their proceeds lodged in his custody. Families were divided. Young women, in some instances, left their unwilling parents and followed him. Rumors unfavorable to his veracity, his chastity, his sobriety, seemed to have no effect on the hold he had on his disciples. Their faith in the most extravagant of his claims was unbounded. He had the gift of the Holy Ghost. A touch of his hands was as efficient as the apostles'. He was in immediate communication with the coming Messiah, and had authority to "bind and loose" at his will.

The "Church of the Messiah" holds, among other peculiar points of faith, that its members are of the tribe of Ephraim, and that, as "the curse is now taken off from Palestine," the time has come for the lost ten tribes to return to the land of their fathers. They anticipate the re-establishment at Jerusalem of the throne of David, in greater than Solomonic splendor. In expectation of the near advent of the Messiah, one hundred and fifty-six members of the sect, from the State of Maine, went, in 1866, to Palestine, and established a colony at Jaffa, the seaport of Jerusalem. Through the kind interference of the English and American consuls in Jerusalem, the Turkish pacha saw it to be for his own personal interest to do the colonists every favor in his power. Accordingly, when they landed, all Jaffa rose to meet them. All their goods and chattels, lumber and furniture, were allowed to be landed free of duty, and facilities were furnished them for getting settled in their new homes. They had secured land before their arrival, through the American vice-consul in Jaffa, who bought it in the name of a subject of the Sultan, as is the custom in Turkey, foreigners not being allowed to hold property there in their own name. The colonists soon found that they had to encounter many difficulties. Nine of the members died within three months of their landing, and several others had to be removed to the hospital for treatment. Some, also, expressed disappointment and dissatisfaction with the president of the colony, and desired to return to Maine.

METALS, SOME POINTS IN THE WORKING OF. *Manufacture of Cast Steel at Essen.*—The largest and most complete manufactory of cast steel in the world is probably that of Mr. Krupp at Essen (Rhenish Prussia). The building where the great castings are run, has about 1,200 crucibles arranged in furnaces by four, eight and twelve, according to size, and the moulds to receive the melted metal are disposed in line along a trench situated between two pairs of rails upon which runs a movable crane.



These moulds vary in capacity from 100 lbs. to 36 tons. The furnaces are arranged along the sides, the whole length of the building, and are accessible by means of galleries underneath. The channels conducting the melted metal to the moulds are strongly constructed of wrought iron lined on the inside with fire-clay and slightly bell-mouthed at the end next the mould. The signal being given, the furnaces are uncovered and the work begins. One man with a pair of pincers seizes a crucible, and passes it to two of his fellows, who carry it at once to a part of the shop floor left free for that purpose. Near at hand are a regular line of assistants standing two by two, awaiting the advent of the crucibles. Upon the arrival of a crucible, two of the men seize it by a double pincer, empty it into the channel assigned to them, and then cast the empty crucible down a funnel into the cellars below the shop, and resume their position in line. This establishes a perfect continuity of operations, and prevents the possibility of confusion and over-crowding. In a few minutes, the vast cavity, containing as a maximum 36 tons of metal, is filled. As a rule, for the purposes of avoiding night work, the meltings are so managed that the running takes place early in the morning or during some after portion of the day; and the only men left in the work at night are those having charge of the maintenance of the furnaces, as the removal of the ingots is also effected in the daytime. In about two hours after casting, the ingot, except when of excessive dimensions, is sufficiently solid to be lifted by the movable crane and taken away; when the large ingots are not required at once to be put under the hammer, they are covered with ashes and half-consumed *débris*, and a wall of dry fire-bricks is built around them to keep in the heat. The slow combustion of this otherwise valueless fuel, prevents the ingot from becoming quite cold. One of the chief peculiarities in Mr. Krupp's system, is that all new inventions and processes are thoroughly tested before adoption in his establishment. It has an experimental shop replete with crucibles, furnaces, retorts, and scientific apparatus of every kind, by which proposed improvements in the manufacture of cast-steel are submitted to careful trial, and if demonstrated to be really valuable are introduced in his works. (*Mech. Mag.*)

*The Bessemer Process.*—At a recent meeting of the British Association, Mr. Bessemer explained some improvements in the practical application of his process for the conversion of melted cast-iron into steel, by means of which he had slowly advanced from operations of 40 lbs. to 25 tons at a time. He hoped that the cost of manufacture would eventually be so much reduced as to make the steel available for general purposes. At a cost of £2 a ton, old steel rails could be converted into round steel bars, with a waste of only  $1\frac{1}{2}$  to 2 per cent., worth £18 per ton. He believed, that after manufacturers had been remunerated for their expensive ma-

chinery, steel might be produced at a little more cost than the best iron. Tens of thousands of tons of steel are now sold at £13 a ton, whereas the former price was from £36 to £80 according to quality.

*The Conversion of Cast-iron into Steel.*—M. Gal Cazalat presented to the French Academy in January 1866, a note describing "a new process for quickly and economically converting any mass of cast-iron into steel." He passes superheated steam into the fused iron. This is decomposed in traversing the mass; the oxygen burns the carbon and oxide of iron, while the hydrogen combines with and removes the sulphur, phosphorus, and other metalloids, the presence of which would render the steel brittle. When the color of flame at the top of the mass indicates the proper degree of decarbonization, the steel is run out. The author operates either in a cupola, or in a reverberatory furnace of his own construction, in which the waste heat from the furnace is used to produce steam. Common steel, he says, can always be regularly produced by completely decarbonizing the cast-iron, and then adding 10 per cent. of spathic cast-iron, which restores to the iron the amount of carbon necessary to effect the conversion into steel. By a peculiar contrivance, he shuts off the current of superheated steam from the metal, and passes it into the chimney, where it serves to increase the draught in the furnace, and thus leaves the steel in a state of tranquil fusion for about 15 minutes, and so gets a perfectly homogeneous mass. He removes bubbles in his castings by covering the mould hermetically with a sort of hat, from the top of which rises a pipe in which are placed 6 or 10 grammes of a mixture of 80 parts of saltpetre and 20 parts of charcoal. By opening a stopcock, the powder is allowed to fall on the metal, when it ignites and produces a large quantity of gas, which exerts pressure on all parts of the casting, removing the bubbles and increasing the tenacity of the metal.

*A new Theory of Iron and Steel.*—M. de Cirancourt, in a paper read before the French Academy, puts forth a new theory of iron and steel. Oxides of iron have usually been considered as degrees of oxidation of the same metal; but the author adopts the view first suggested by Berzelius, that there are two varieties of "iron metal," to which he gave the names of *ferricum* and *ferrosum*, supposed to represent two allotropic states of iron. *Ferrosum* is the metal extracted from the peroxide of iron, through the reducing agency of hydrogen; the nearest approach to this is the commercial iron known as bright iron. The iron derived from the anhydrous peroxide is the metal called *ferricum*. The common sorts of foundry iron are this metal with some carbon. The author says, that certain kinds of cast-iron identical in their chemical composition appear so different from each other, and give such opposite results in working, as to compel us to distinguish them in practice. The real charac-



teristic to be taken into account, he thinks, is the degree of oxidation of the ore from which the various kinds of iron have been extracted. Malleable iron he supposes to be formed of mixtures of the two kinds of iron which pass into the state of ferricum. Steel he regards as a reunion of the two conditions of iron, the metal being the more perfect, the nearer the two irons unite in the proportions in which they exist in the mineral state.

*Strengthening of Iron.*—An English manufacturer, Mr. E. H. Newby, adds to pig or cast iron an alloy and a flux, to increase its strength and render it less liable to corrosion. The alloy is composed of the following ingredients: 25 lbs. of zinc,  $2\frac{1}{2}$  lbs. of tin, 5 lbs. of copper, and  $\frac{1}{2}$  of a lb. of aluminium, to each 1,000 lbs. of white iron. The flux for this alloy consists of 2 lbs. of borax and 1 lb. of permanganate of potash. These substances are fused together in a closely-covered crucible, and then melted cast-iron is poured in until four or five times the weight of the charge in the crucible has been added, and the whole is then poured into the melted iron to be treated. The iron has been previously drawn off into a ladle in which have been placed, as a flux, 5 lbs. of carbonate of baryta and 5 lbs. of cryolite or fluor-spar, to every 1,000 lbs. This flux tends to remove sulphur and silicon. The ladle is then covered with a hood of sheet iron, from which a pipe or flue leads off any zinc fumes that might be generated. There also passes through the hood an earthenware pipe, the lower end of which dips just below the surface of the melted iron. Through this tube the alloy is poured into the molten metal; and when any boiling or action which results has subsided, the iron is cast into pigs, and these are remelted for use in a cupola foundry. If the iron to be treated is gray, the alloy should by preference be composed of from 30 to 60 lbs. of zinc, 5 lbs. of tin, 3 lbs. of copper, and  $\frac{1}{2}$  lb. of aluminium. Mr. Newby has also made improvements in the manufacture of wrought iron, consisting of the addition to the iron while it is in the puddling furnace of a mixture of black oxide of manganese (10 lbs.), oxide of zinc (30 lbs.), chloride of tin (5 lbs.), carbonate of baryta (10 lbs.), fluor-spar (5 lbs.), iron filings (5 lbs.), and gas tar, or asphaltum (10 lbs.). He claims that the wrought iron thus produced is very strong and pliable, and not liable to acid corrosion.

*Iron Foil.*—Hallam & Co., of the Upper Forest tin works, near Swansea, have produced sheets of iron foil weighing only  $\frac{3}{1000}$  of a grain per square inch. It would take two hundred of such sheets laid one on top of the other to make up the thickness of an ordinary sheet of note paper. Lloyds, Fosters & Co., had previously made iron foil which weighed only two grains per square inch, and Mr. Parry had exhibited specimens weighing only one grain and a half to the same surface. (*Mech. Mag.*)

*The Preservation of Copper and Iron in Fresh and Sea Water.*—M. Becquerel's process for

effecting this object, by availing himself of electro-motive forces, has been introduced with success into the French navy. The process is briefly this, for metals in sea-water: strips or sheets of copper are protected by small bands of zinc fastened to their extremities; and those of iron by similar small bands of zinc. The action of the sea-water upon the metals is to induce an electric state in the copper and the iron, and to keep them bright over nearly all of their surfaces. In the case of the copper, the entire surface remains bright, except the part near the zinc, which part becomes coated with earthy and metallic deposits when the water is not pure. The problem, therefore, is to arm the metals to be preserved with a metallic protector having an electro-motive force equal to the point where the deposits begin to be inappreciable. A very small quantity of zinc suffices to protect the iron of an iron-clad. In the French navy, these protectors have been arranged so that they can be cleaned and renewed, when required, without difficulty. In fresh water, the effects present remarkable differences. In the case of a strip of platinum and one of cast-iron, protected by a small strip of zinc, M. Becquerel found that the electro-motive force of the zinc was diminished—in the first case by more than one-half, and in the last case by more than a quarter. The difference of the effects is undoubtedly explained by the difference of the conductivity of the two liquids, by means of the different chemical action which each exerts on the zinc. It has been suggested that cast iron projectiles might be preserved, almost indefinitely, from oxidation by piling them, with occasional strips of zinc, in fosses kept full of water to a constant level. A pile of 9,387 balls of five inches in diameter would require for their preservation bands of zinc, or an appropriate alloy, having a total surface of two square yards. (*Mech. Mag.*, Oct. 12, 1866.)

*Separating Cobalt from Nickel.*—M. Terrell has communicated to the French Academy his method of separating cobalt from nickel. To a solution of the two metals he adds ammonia until the oxides are re-dissolved. He then heats the liquor, and to the hot solution adds a solution of permanganate of potash, until the mixture remains violet from an excess of permanganate. He then boils it for a few minutes, and re-dissolves the oxide of manganese with a slight excess of hydrochloric acid. The liquor is kept hot for some time, and then set aside for twenty-four hours. At the end of that period the cobalt is deposited in the form of a crystalline powder of a beautiful reddish-violet color. This precipitate is roseocobaltic hydrochlorate, 100 parts of which correspond to 22.761 of metallic cobalt, or 28.929 of the protoxide. For very accurate determinations, a known weight of the compound may be reduced by dry hydrogen and the pure metal weighed.

The same chemist separates nickel and man-



ganese from a solution of those metals, by saturating the solution with ammonia, and then adding an excess of permanganate of potash, or an alkaline hypochlorite, and boiling the mixture. The manganese is now precipitated, and the nickel remains in solution, from which it may be separated as sulphide or oxide.

*Ore of Manganese.*—Prof. Henry How, in the transactions of the Nova Scotia Institute of Natural Science, describes a new ore of manganese. It was sent from Parrsborough, and from another locality to the east of Halifax, where it is found in lumps, mixed with stones. It is a black earthy substance, in the form of rounded lumps and grains. The sample examined contained a good deal of water, and when dried, 56 per cent. of binoxide of manganese, with traces of cobalt, which are usually found in this species. Neither of these would be valuable as ores of manganese, but would probably be valuable as paints. Manganese is often mixed with bog iron ore, and then forms deposits of a brown or chocolate color, called ochres, or mineral paints. In the Bridgewater paints of this character, Prof. How found 11 per cent., and in the Chester paints about 20 per cent., of binoxide of manganese.

*Alloys of Manganese.*—The German chemist Prieger has prepared alloys of manganese with iron and copper, which prove to have valuable properties, and are susceptible of many useful applications. For alloys of iron and manganese he mixes pulverized oxide of manganese, charcoal dust (corresponding in quantity to the oxygen of the oxide) and cast-iron filings or turnings. The mixture is put into a graphite crucible, covered with a coating of charcoal dust and sea salt, and exposed for a few hours to a white heat. After cooling, a metallic homogeneous mass is found at the bottom of the crucible. The most important of the alloys are those containing two equivalents of manganese to one of iron, and four equivalents of manganese to one of iron—corresponding to 66.3 per cent. and 79.7 per cent. of manganese. Both are harder than tempered steel, and capable of receiving a high polish; melt at a red heat, and are easily poured; do not oxidize in water, and only superficially in air, and are of a shade between steel and silver. Alloys of copper and manganese are obtained in the same manner, resembling bronze, but much harder and more durable. Alloys with tin resemble silver, are very fusible, durable, and easy to work. The iron and manganese alloy furnishes a convenient means of adding a given amount of the latter metal to iron or steel; by the addition of from 1.10 to 5 per cent. very satisfactory results are obtained.

*Reduction of Chromium and Manganese.*—M. Roussin states that he has observed that a sodium amalgam, shaken up with an acidulous solution of a salt of chromium or manganese, changes to an amalgam of those metals, and that when this amalgam is distilled in a current of hydrogen, after having first been

carefully washed in acidulated water, the pure metal is left in the form of a pulverulent sponge. The amalgam of manganese is opalescent and crystalline; that of chromium more fluid, and less variable at ordinary temperatures. When the chromium amalgam is heated in a small porcelain capsule in the air, the mercury, as it flies off in vapor, carries with it particles of chromium, which take fire, producing a singular scintillation, best observed in a darkened room. Finally, the chromium remaining in the capsule suddenly becomes incandescent, and burns to oxide.

*The Estimation of Silver Oxide as Metallic Silver.*—A new mode of performing this operation is reported by Sir Alexander Classen to the *Journ. für Prakt. Chemie.*, vol. iv., p. 217. He evaporates a solution of nitrate of silver with sulphuric acid until all the nitric acid is driven off. The sulphate of silver is then dissolved in hot water, and a stick of cadmium placed in the solution. The cadmium reduces the silver oxide, and the metallic silver collects in a mass, which can be washed with hot water by decantation without loss. The acid liquor should then be heated until no combustion of hydrogen takes place. In the clear liquid which remains no trace of the silver can now be recognized. Cadmium being but slightly soluble in dilute acids, the same piece of metal will serve for several operations without even losing the metallic lustre of its surface. Freshly precipitated chloride of silver may be reduced in the same way.

*Improved Process for separating Lead from Silver.*—In a factory at Holtrappel an improvement has been introduced in the separation of silver and lead as follows: the melted lead is poured into a crystallizing pan, and its surface covered with small fragments of coke, upon which a thin stream of water is permitted to run. The mass is slowly agitated with a circular motion, which ensures the equal moistening and cooling of the whole surface. In about an hour the lead loses its fluidity, and forms a solid crust, which envelops the small pieces of coke. The stream is now turned off, the agitation stopped, and the unsolidified lead, rich in silver, is run off at the bottom. Before complete solidification takes place, strong iron hooks are inserted in the mass, and it is lifted by a crane from the pan, which is then ready for a second operation.

*Action of Acids upon Metals and their Alloys.*—At the June meeting of the London Chemical Society a paper was read detailing the investigations made by Dr. F. Crace Calvert and Mr. Johnson on this subject. Pure zinc washed with alcohol and dried, was scarcely acted upon by  $\text{SO}_3$ ,  $\text{HO}$ , in the cold, while a similar piece, exposed to the air for a week, and slightly oxidized, dissolved to the extent of three grammes in the same acid in two hours. Monohydrated sulphuric acid dissolved alloys of copper and zinc uniformly, when the brass was composed of those metals in the proportion



of their atomic weights; but when the amount of copper was increased, that metal dissolved faster than did other alloys containing an excess of zinc. An alloy, containing nearly equal parts, by weight, of copper and zinc, was uniformly dissolved by nitric acid of specific gravity 1.14, but when a more dilute acid was employed, one having the specific gravity of 1.08, the zinc and copper were dissolved in the proportion of 5 to 1, by 24 hours' immersion. The same alloy, when treated with concentrated hydrochloric acid, lost only the zinc; a cube of spongy copper remaining undissolved. Alloys containing more than two atoms of zinc to one of copper were rapidly attacked by dilute nitric acid of specific gravity 1.10. Those containing copper in excess were protected from the action of concentrated hydrochloric acid; while those with an excess of tin dissolved much more readily than the individual metals. All alloys of copper and tin were to some extent protected against the action of concentrated sulphuric acid.

*The Action of Platinum, Ruthenium, Rhodium, and Iridium on Chlorine Water.*—On introducing platinum black into strong chlorine water, numerous bubbles of oxygen are developed. Freshly prepared spongy platinum has the same effect. Spongy ruthenium acts much more powerfully than platinum; 0.15 grammes placed in strong chlorine water, caused such an active disengagement of oxygen, that the pieces of spongy metal were carried to the surface by the gas. Rhodium acts similarly to ruthenium, and more strongly than platinum. Pulverulent iridium only causes a feeble decomposition. The four metals, like light, act very slowly on iodine and bromine waters. Solutions of hypochlorous salts, on the contrary, are very quickly decomposed, even in the dark, an active disengagement of gas taking place. In these cases the four metals seem to act with the same degree of power as in the transformation of chlorine water into hydrochloric acid and oxygen. (*Chem. News*, May 4, 1866.)

*The Sodium-amalgamation Process.*—The application of sodium amalgam to the ordinary process of extracting gold and silver from their powdered ores, proves practically to be a success. The *Colorado Journal* says, that by the use of the sodium amalgam, the yield of the Narragansett mill has been increased more than 30 per cent. In another mill in the same vicinity, four days running with mercury prepared by the sodium amalgam, yielded 1 oz. 19 dwts. more gold than four days' operations without it. The amalgam has been tried at the Lake Major mine in Nova Scotia, on refuse pyrites, from which 5 oz. of gold per ton were taken. The result exceeded the most sanguine expectations of the experimenter. Trials at various mills in California have been equally encouraging. There is no doubt that the process is an improvement on the common method of amalgamation, but its adoption is not likely to be general until sodium is manufactured in this country, and

furnished at a moderate price. There have also been some prejudices against the use of the amalgam, on account of the highly combustible qualities of the unalloyed sodium. When combined with mercury, however, sodium is harmless, and may be transported without deterioration in air-tight cans.

At the January session of the National Academy of Science, Prof. Silliman read a paper detailing a series of experiments made by him with the sodium amalgam. In one trial made on over 500 pounds of low grade ore worth about \$15 a ton, all the gold was extracted that existed in the sulphides. The operation was conducted in a large-sized Freiburg amalgamator, and the sodium amalgam was added in four successive portions of 1 oz. each, dissolved in a portion of the 20 lbs. of mercury employed, the proportion of the former being about 1.2 per cent. of the total quantity of mercury used. In a second series of experiments on ore worth about \$320 a ton, treated in a revolving barrel, 83.3 per cent. of all the gold present was saved, against 40 to 60 per cent. by the common method.

**METEORIC IRON.** Mr. J. Lawrence Smith has reported to the *American Journal of Sciences and Arts*, the results of his analysis of a specimen of meteoric iron found in Russel Gulch, Colorado Territory. The mass measured in its extreme length, breadth, and thickness: 8½ in. × 7¼ in. × 5½ in., and weighed 29 lbs. The iron was of medium hardness, with a density of 7.72, and when cut through was found to contain a few small nodules of iron pyrites. It resisted the action of air and moisture very well; but was readily attacked by nitric acid. No silicious minerals could be traced in any of the crevices of the mass. Its composition proved to be:

Iron, .....	90.61
Nickel, .....	7.84
Cobalt, .....	.78
Copper, .....	minute quantity.
Phosphorus, .....	.02
	<hr/> 99.25

Mr. Smith states that he has found copper in all the specimens of meteoric iron that he has examined.

**METEORS AND METEORITES.** The year 1866 was, as had been anticipated, marked by the occurrence of an unusually brilliant display of "shooting stars," so called, at the recognized November period, and visible over portions of the Eastern Continent and of the Atlantic Ocean—the exhibition, indeed, being such as to justify its being regarded as answering to the supposed secular or 33-yearly periodical return of that phenomenon. This "shower" will presently be considered. The reader is referred also to the articles *METEORS*, etc., and *ATMOSPHERE*, in the preceding volume.

*November Period, 1865.*—Observations in different parts of England, on the night of November 12–13th, showed a more than usual number of meteors, even for this period (in or-



dinary years). Mr. Glaisher has stated the rate of their appearance at 5 A. M. of the 13th, at about 250 per hour; and he estimates the whole number visible at Greenwich, from 1 A. M. to the hour named, at not less than 1,000.

*August Period, 1866.*—Observations were made at different points in the United States. At Germantown, Pa., morning of the 11th, from 0<sup>h</sup> to 2<sup>h</sup> 15<sup>m</sup>, Mr. B. V. Marsh and Mr. R. M. Gummere observed respectively 129 and 164 meteors, a large proportion in both sets being conformable to the radiant of that period, in Perseus. At Natick, Mass., Mr. F. W. Russell alone saw — night of the 10–11th, 9 A. M. to 3 A. M. — 395 conformable, and 59 unconformable meteors, and something near one-seventh of all of which showed trains.

*Spectra of August Meteors.*—In order to study, in the apparently only possible way, the chemical composition of ordinary shooting-stars, Mr. A. S. Herschel had in 1864 invented a "meteor spectroscope," an instrument used somewhat in the manner of an opera-glass, but the tubes of which contain each a prism cut with such angles and so placed, that the light entering one of its sides shall twice undergo total reflection, and emerge to the eye in lines parallel with its original course. Such a spectroscope has since been made by Mr. Browning, also of England. The instrument, properly held, being turned upon a star or some part of a meteoric train, the light of such object is dispersed, and of course analyzed, being at once lengthened and spread laterally, so as, if the light were compound, to form a fan or brush, or if monochromatic, a line. The light so spread is of course enfeebled; so that objects answering to 5th-magnitude stars, or less, disappear, and prismatic hues become plainly perceptible only at the 3d magnitude. The instrument takes in a field large enough, for example, to embrace the whole group of the Pleiades; but in any such space, ordinarily, meteors so rarely appear, that observations require to be made at one of the "periods"—the instrument being then best directed beneath the radiant, and near, but not too near, to it.

Mr. Herschel, on the night of August 9–10th, secured a view of the spectra of 6 meteors or trains, and on the following night—an assistant observing at the same time with the eye—of 11 others; and all of these he has figured and described. Of the *twelfth* in order, seen at 0<sup>h</sup> 42<sup>m</sup> A. M.—its nucleus visible 1½ and its train 4 seconds—the former gave a superb continuous spectrum, showing red, green, and blue; the latter, a spectrum also diffuse, ½° in width, with a thin, bright orange-yellow line near the red, and which, during the last two seconds, alone and distinctly remained in view.

A yellow line, in fact, like that of sodium, was seen (often along with the bands proper to other colors, at first) in the light from the larger number of the trains examined. In a less number, the spectrum was an ordinary one, feeble, and appearing as a diffuse grayish band.

The spectra of the nuclei were quite commonly lost in those of the train: when separately obtained, they sometimes appeared like that of the light of incandescent solid matter. Many of the trains, indeed, at least during the latter part of their visibility, and especially the more conspicuous and slowly-fading ones, appeared to consist of soda-flames; so that sodium would thus seem to be proved one of the constituents of the meteoric bodies. And the fact, interesting in this connection, that some meteoric stones contain in small quantity compounds of sodium, lends support, so far, to Chladni's hypothesis of a natural connection between shooting-stars and aërolites. While soda would thus appear to produce the most enduring light of the August meteors, the rays at the same time of some other mineral substance—as potassium, sulphur, or phosphorus—probably help to form many of the trains, and may in large degree constitute those the light of which presents the diffuse or phosphorescent character. The eye itself detects the yellow color of the August meteoric trains, while that of the November trains is oftener white, bluish, or greenish.—(*Intell. Observer*, October 1866.)

*November Period, 1866.*—As already intimated, a very unusual and brilliant meteoric display was observed, in the early morning of the 14th, over many parts of the eastern hemisphere. Tolerably complete accounts have appeared of the shower as observed at London; as also in a paper read by Mr. Jos. Baxendell, before the Manchester Literary and Philosophical Society (*Chem. News*, December 21, 1866); while a paper by Prof. H. A. Newton, in the *Amer. Jour. of Science* for January, 1867, gives accounts of observations made on the nights of the expected display, and chiefly within the United States, with some remarks as to the theory of the meteoroidal ring, and the limits of visibility of the actually occurring shower.

The observations of Mr. G. J. Symons, Mr. Baxendell, and others, show the maximum of the shower to have occurred at very nearly 1<sup>h</sup> 12<sup>m</sup>, Greenwich time, and its denser part to have been included within at most a period of 1<sup>h</sup> 30<sup>m</sup>, its beginning being placed at 0<sup>h</sup> 45<sup>m</sup>, or at the earliest 0<sup>h</sup> 30<sup>m</sup>, and its termination at about 2<sup>h</sup>, of the 14th. At 0<sup>h</sup> 30<sup>m</sup> of that morning (12<sup>h</sup> 30<sup>m</sup> of the 13th, in astronomical reckoning), the sun was vertical in E. long. 168° 30', S. lat. 18° 15'. Allowing, of course, 90° of day west of the meridian named, and 10° for twilight, "a line crossing the equator in E. long. 68½° and running N. 18½° E. separated daylight from darkness and formed the eastern limit beyond which the shower was not probably visible. The radiant was vertical at 2<sup>h</sup> A. M. (which may be taken for the end of the shower) in N. lat. 23½° E., long. 65°;" so that the western limit of visibility—a great circle having the point named as its pole—would pass through Newfoundland, and thence over the Atlantic; and to regions west of this line the radiant at the time of the main shower was below the



horizon. Taking the inclination of the plane of the group to the ecliptic as about twice the latitude of the radiant, or  $19^\circ$ , and considering the denser shower to have lasted  $1^h 30^m$ , the earth moving in this time about 100,000 miles, the corresponding thickness of the group would be  $100,000 \times \sin 19^\circ = 33,000$  miles. Observations, accordingly, made on either hemisphere before and after the time of the main shower, would correspond to periods during which the earth was passing into and then out of the spaces contiguous to the denser or proper ring [segment, or cloud], and would show the comparative distribution and frequency of meteoroidal bodies in such spaces. In the same view, since the radiant in Leo rises above our horizon about 11 P. M., corresponding (for the long. of Philadelphia) with 4 A. M., Greenwich time, the observations made in this country from midnight onward on the morning of the 14th, may be regarded as a continuation of those interrupted by twilight on the same morning in England.

On the night of November 12–13th, twelve observers together at New Haven, Conn., saw, from  $11^h 10^m$  to  $1^h 40^m$ , a total of 236 meteors, generally small, and few from Leo; and again, from  $2^h 40^m$  to  $5^h 30^m$ , 458 meteors, the proportion of conformable ones increasing, but being at  $5^h$  still less than one-half. At the same place, another group of ten observers counted 603 meteors from  $0^h$  to  $5^h$  A. M. An account from Washington places the rate of appearance at 3 A. M. of the same night at about 180 per hour, a large proportion conformable, and many of the trains being of a bluish color.

On the night of the 13–14th, observations were made at many points throughout Great Britain, between the hours of about 11 P. M. and 5 A. M. A few extracts from a table of the numbers of meteors during 5-minute intervals, prepared by Mr. Symons, will serve to outline the course of the shower; thus—

In 5 minutes from 11h. 45m. —	17 meteors.
“ “ 0h. 15m. —	41 “
“ “ 0h. 45m. —	87 “
“ “ 1h. —	264 “
“ “ 1h. 15m. —	276 “
“ “ 2h. —	48 “
“ “ 3h. —	26 “
“ “ 4h. 45m. —	4 “

These results, pretty closely agreeing with those of other observers, show that, irrespective of visibility of the constellation Leo, which was quite as favorable for some time both before and after the main shower, yet the accession of the latter was quite rapid a little before  $1^h$ , and its cessation about  $2^h$  quite or nearly as rapid; though during about  $5\frac{1}{2}$  hours, from 11 P. M. to 4:30 A. M., the frequency was greater than usual even for ordinary years of the November period. Some observers placed the number of meteors at the time of the maximum at about 100 per minute, their appearance being then often in batches or volleys of several at a time, and two or more sometimes travelling

close together. Mr. Hind states that, from  $0^h$  to  $1^h$ , four observers counted 1,120 meteors, and, thence on to about  $1^h 7^m$ , 514, the number then becoming too great to admit of counting, until  $1^h 20^m$ , when a decline became perceptible. Mr. Symons estimated the total number visible (from 11 to 5, it would appear) at from 7,000 to 8,000, and others have placed it still higher.

Noticeable features of the display were, the comparative uniformity of size or brightness of the meteors, and the absence of any of very remarkable brilliancy. Mr. Baxendell considers the average magnitude the third, while about one-tenth of all were above the first magnitude, and some equalled Jupiter, and even Venus at the brightest. Professor Grant's account, from Glasgow, would make the proportion of meteors brighter than the first magnitude, larger; while, after 2 P. M., their size diminished, and their directions became more variable.

A very large proportion of the meteors left trains, but of brief duration—rarely more than 2 to 3 seconds. Occasionally, meteors appeared in the immediate neighborhood of the supposed radiant, disappearing again without trains, or showing at most only a short brush. The paths of such were undoubtedly almost directly toward the earth and the observer, and so, greatly foreshortened or invisible; and the circumstance confirmed the conclusion indicated by the divergent courses of most of the others, in respect to the location of the radiant point or area. The plan of projecting at least a portion of the meteor-paths seen on charts prepared for the purpose (in England on those of Herschel), was of course adopted by many observers in both hemispheres; but the results of attempts to fix the radiant point do not as yet precisely agree. A position not far from  $\gamma$  Leonis is pretty generally admitted. Prof. Newton's observations on the morning of November 14th imply—unless the radiant moves—an elliptical area, its length in longitude some  $3^\circ$  or  $4^\circ$ ; while his determination of the preceding night places the centre of the radiant in R. A.  $147^\circ 30'$ , Dec.  $+23^\circ 15'$ ; and Prof. Twining on the morning of the 14th fixes that point in the same R. A., and Dec.  $+24^\circ 30'$ . Mr. Baxendell bounds the radiant area by the stars  $\gamma$ ,  $\zeta$ ,  $\mu$ ,  $\epsilon$ , and  $\eta$  Leonis—its mean position in R. A.  $149^\circ 33'$  (or,  $147^\circ 33'$ ?), and Dec.  $+22^\circ 57'.5$ . The lengths of trains during the principal display of the 14th, are by different observers variously stated at from  $15^\circ$  to  $25^\circ$ , and in some cases even  $40^\circ$  or more.

The color of the nuclei in the main shower was commonly white or bluish-white, sometimes orange-yellow or red. The trains are spoken of as being greenish [some accounts say bluish], gray, and white. Within the limits of cities, indeed, the yellow cast thrown by gas-lights upon a sky not wholly free from haze, could by subjective contrast impart an apparent bluish-green hue to trains actually gray or white. Mr. H. J. Slack states, moreover, that some of the trains were yellow and others reddish in color. In some twelve or more instances in



which he caught the trains with the spectro-scope, they gave spectra chiefly of yellow and green; while the nuclei gave all the primitive colors.—(*Intell. Observer*, Nov. 1866.)

Mr. Baxendell, who witnessed off the western coast of Central America the display of 1833, declares that of 1866 far inferior to the former, both in the number of meteors and in the brilliancy of the larger ones. He states that the directions of flights in 1833 were much more irregular than in 1866; and, besides making some suggestions in reference to the cosmical theory of the origin of meteors, he calls attention to the fact that, at the time of maximum frequency, the earth was advancing in its orbit almost directly toward the radiant (to a point of long.  $2^{\circ} 12'.7$  less); whence he infers also that the meteors were crossing the earth's path from within outward.

M. Faye remarked before the Academy of Sciences (*Comptes Rendus*, Nov. 19, 1866) on the meteoric display, for which he was led to watch, as he implies, by a suggestion of Olbers of the possible return of the great star-shower in 1866 or '67, as well as by the confirmatory researches of Prof. Newton, and by the fact that the November displays, waning from the year 1833, had begun to increase again from 1864. On the morning of the 14th, although the sky was often covered with clouds, yet, looking toward Orion, he noted 81 meteors during the half hour following  $1^h 5^m$ , and 45 again during 40 minutes following  $3^h 5^m$ ; and, of the whole number, all save two diverged from the superior part of Leo. Many were very brilliant, some being visible through clouds which masked the brighter stars of Orion. The display was well seen by Dr. B. A. Gould, with others, at Valentia, Ireland. The sky was clear, and from  $12^h 39^m$  to  $1^h 5^m$ , he alone counted 310; and, with a second observer, 203 during the 90 seconds following  $1^h 9^m$ . Of the meteors he says, "The comparatively slow and uniform movement of most of them, their long bright trains, and pure white light, presented a strong resemblance to the flight of rockets." Mention of the appearance of the shower at Saragossa, Spain, and at Beirut, Syria, has also been met with.

In New Haven, night of November 13-14th, a party of observers (12 most of the time), and of which again Professor Newton was one, noted from 11 P. M. to 4 A. M. 881 meteors, generally more brilliant than on the preceding night, and a large proportion of them conformable. Professor Twining, observing alone at the same place during two hours of the morning of the 14th, noted 62 conformable meteors, the average length of paths being about  $10^{\circ}$ , and average time five seconds. At  $2^h 11^m$  of the same morning, a very bright green (or blue) meteor appeared about  $20^{\circ}$  south of Regulus, visible at New Haven, Newark, and elsewhere, and leaving a trail or cloud  $4^{\circ}$  long, which floated away to the north—bending up, as seen from Newark, as is usual with such

trains—and remaining in sight 9 minutes. From the observations at different points, Professor Newton calculates its altitudes at appearance and disappearance as about 120 and 60 miles, its length 5, and its breadth 3 miles. Its northward motion, at right angles to the course of the meteor, was ascribed to a current in the atmosphere. "The material of the meteor must have been considerable in order to have filled several cubic miles with its *débris*. And yet this *débris* must have been very attenuated to float in an atmosphere so light as that which is 60 or 90 miles from the earth's surface."

Finally, Professor Newton suggests that if there shall be a star-shower in 1867, and if the group of meteoroids lies sensibly in a plane, the limiting lines of visibility should be removed  $90^{\circ}$  or  $100^{\circ}$  westward: unless, under perturbations due to the action of the earth, Jupiter, or other planets, the time of the maximum, and so the region in which the shower is to occur, may meantime have been changed.

*Miscellaneous.*—Professor Newton's paper contains also a suggestion by Professor Twining of a form of instrument to be used in observing meteors—a conical shell, mounted as a telescope—with opening at the apex for the eye, and its base occupied by a system of diverging and circular wires, by means of which the directions of flight, and extremities and lengths of paths, may be determined more accurately than by the unaided vision. M. Faye (*loc. cit.*) suggests, as a means of rendering the observations more precise, that two observers, each furnished with a telescope mounted very high and so as to be very mobile, endeavor to fix the extreme points of visibility of the trains, and further, that observations be thus carried on at different stations telegraphically connected; questions of radiant, height, velocity, etc., might thus be more accurately determined.

M. Faye also mentions facts which have led him to conclude that the meteoric rings of April 20th, August 10th, and November 13th, whose periodicity is established, are very nearly circular, or at least have their longer axis very near to the line of nodes, a circumstance which has been remarked in many periodical comets; but that the like is not true of the meteors of April 10th, October 19th, and December 12th, the claim of which to the title of rings is more doubtful.

Professor Newton, in an article in the *American Journal of Science*, 1866—v. 41, p. 192, deduces, from observations made in the previous November period, the proportionate number of meteors likely to be seen at the same place by different groups of observers, from 12 down to 1. He infers that four observers, dividing the sky between them, would see three times as many as one, and yet no more than about one-half the total number then visible. In the paper above cited, also, he concludes that, with such observers, meteors, and methods of observing, as those of the two nights of the November period, 1866, fourteen persons



would see six times as many as one, and yet lose a third or more of those that could be seen by an indefinite number, especially when the flights were generally faint.

Mr. D. Trowbridge states (*American Journal of Science*, September, 1866), that at about 8<sup>h</sup> 15<sup>m</sup> P. M., July 26th, a bright red meteor flashed out in Cygnus, moving rapidly with a blue train, to the west—time of flight,  $\frac{1}{2}$  to 1 second—and which certainly passed below some cirro-stratus clouds that were so dense as completely to hide ordinary stars. C. Behrmann, of Göttingen, has stated also that, on the 30th of July of the same year, meteors were seen to come out of a thick cloud which covered the entire sky, and was too dense to allow of their being visible through it—those bodies appearing about 15° above the horizon, leaving a visible path of 5° to 6°, and vanishing in about a half-second. The writer believed that these meteors came within one mile of the earth. An account of a meteor, which probably exploded above the clouds, near Charleston, S. C., and over the sea, but which produced in and near that city an extremely brilliant flash of light, and a continuous reverberation not unlike that of thunder, is found in the *American Journal of Science* for March, 1866.

At the meeting of the National Academy of Sciences, at Northampton, August 8, 1866, Professor Pierce read a paper on the "Origin of the Solar Heat," in which he controverted Mayer's theory of the source of such heat in a conversion of mechanical force, that is, as being kept up by a constant fall of meteoric bodies into the sun. It is stated that the author of the paper favored, instead, the view of the solar heat as originating in a slow condensation of the matter of the sun.

*Meteorites.*—Descriptions and analyses of meteoric irons (period of fall unknown) found in the territory of Colorado, are given in the *American Journal of Science*, dates of September, 1866, and January, 1867; and some account of the meteorite of Knyahinya, Hungary (June 9, 1866), in the same journal for November, 1866; and of the meteorites of Aumale, Algeria (August 25, 1865), in the number for May, 1866. A communication in three parts to the French Academy of Sciences, by M. Daubrée, entitled, "Synthetic Experiments relative to Meteorites: Points of agreement to which they conduct, in reference to the formation of those planetary bodies and to that of the terrestrial globe," appears in the *Comptes Rendus*, dates of January 29th, February 19th, and March 19th, 1866. The *American Journal of Science* for January, 1867, contains also a "New Classification of Meteorites, with an Enumeration of Meteoric Species," by Professor Charles U. Shepard, the classification differing in some particulars from that of Mr. Greg, given in the preceding volume of the *CYCLOPEDIA*.

**METHODISTS. I. Methodist Episcopal Church.**—The membership of the Methodist

Episcopal Church, in 1866, was, according to the Methodist Almanac for 1867, as follows:

CONFERENCES.	NUMBERS IN SOCIETY.		
	Members.	Probationists.	Total.
Baltimore .....	12,010	2,037	14,047
Black River.....	18,775	2,714	21,489
California.....	3,885	597	4,482
Central German....	7,989	1,165	9,154
Central Illinois....	17,834	2,570	20,404
Central Ohio.....	16,723	2,421	19,144
Cincinnati.....	27,541	3,259	30,800
Colorado .....	234	97	331
Delaware.....	7,501	624	8,125
Des Moines.....	9,818	2,271	12,089
Detroit.....	15,021	2,119	17,140
East Baltimore....	29,572	7,330	36,902
East Genesee.....	20,215	3,205	23,420
Eastern German....	2,061	367	2,428
East Maine.....	8,414	2,263	10,677
Erie.....	25,672	4,598	30,270
Genesee.....	8,010	1,261	9,271
Germany & Sweden.	3,885	1,465	5,350
Holston .....	13,918	4,293	18,211
Illinois.....	26,945	3,685	30,630
India Mission.....	157	108	265
Indiana.....	23,611	3,826	27,437
Iowa.....	15,774	1,771	17,515
Kansas.....	4,419	1,508	5,927
Kentucky .....	5,795	1,101	6,896
Liberia Mission....	1,308	122	1,430
Maine.....	10,345	1,792	12,137
Michigan.....	15,260	2,804	18,064
Minnesota.....	7,434	1,308	8,742
Mississippi Mission.	2,216	476	2,692
Missouri & Arkansas.	9,638	3,070	12,708
Nebraska.....	1,431	566	1,997
Nevada.....	238	7	245
Newark.....	20,908	4,347	25,255
New England.....	18,632	2,319	20,951
New Hampshire....	10,486	1,537	12,023
New Jersey.....	22,648	5,122	27,770
New York.....	30,876	5,581	36,457
New York East....	29,040	4,742	33,782
North Indiana.....	20,849	7,408	28,257
North Ohio.....	14,025	1,621	15,646
Northwest German..	4,742	1,277	6,019
Northwest Indiana..	15,847	1,825	17,672
Northw't Wisconsin.	2,573	597	3,170
Ohio .....	27,755	3,410	31,165
Oneida.....	16,401	2,884	19,285
Oregon.....	2,769	576	3,345
Philadelphia.....	45,431	10,353	55,784
Pittsburg.....	35,104	8,077	43,181
Providence.....	14,412	1,823	16,235
Rock River.....	17,752	2,686	20,438
South Carolina Miss.	2,791	346	3,137
Southeast'n Indiana.	16,390	1,752	18,142
Southern Illinois...	17,262	3,887	21,149
Southwest German..	6,029	975	7,004
Tennessee.....	2,689	484	3,173
Troy.....	22,087	4,374	26,461
Upper Iowa.....	13,104	1,967	15,071
Vermont.....	11,395	1,378	12,773
Washington.....	11,849	1,863	13,212
West Virginia.....	14,164	4,944	19,108
West Wisconsin....	6,337	1,065	7,402
Wisconsin.....	10,202	1,624	11,826
Wyoming.....	13,415	3,427	16,842
Total.....	871,113	161,071	1,032,184
Last year.....	822,711	106,548	929,259
Increase.....	48,402	54,523	102,925

The number of annual conferences in the above list is 64, against 60 reported last year.



The number of effective preachers in 1866 was 6,287; of superannuated, 1,289; of local preachers, 7,576. The number of churches (houses of worship), is 10,462, an increase of 420. The estimated total value is \$29,594,004, an increase of \$2,843,502. The number of parsonages is 3,314, valued at \$4,420,958, an increase of 171 in number, and of \$24,277 in value. The total value of church edifices and parsonages is \$34,014,962, being an increase of \$2,867,729. The following are the summaries of the contributions for the principal benevolent causes, omitting all receipt from legacies: for conference claimants, worn-out preachers, and widows and orphans of ministers who have died in the work, \$107,892, an increase of \$14,743; for missionary society, \$671,090, an increase of \$69,025; for Tract Society, \$23,349, an increase of \$1,026; for American Bible Society, \$107,238, an increase of \$5,495; for Sunday-school Union, \$19,850, an increase of \$782. The total contributions for these objects is \$929,221. This is an increase over the returns of 1865, of \$91,073. The total number of schools is 14,045, an increase of 96; that of officers and teachers, 162,191, an increase of 8,492; scholars, 980,622, an increase of 48,898; volumes in library, 2,644,291, an increase of 169,195. The *Sunday-school Advocate*, at the close of the volume in October, issued a regular edition of over 300,000 copies, a large increase over the subscription list of the preceding year.

The progress of the Methodist Episcopal Church in the late slave-holding States, continues to be more rapid than that of any other of the northern anti-slavery churches, and to augur important results, ecclesiastical as well as political. At the beginning of the civil war, the Church only had six conferences, which wholly or partly were situated in the territory of these States. They extended but little south of the frontier of the northern and southern sections, embracing only the States of Missouri, Maryland, Delaware, the valley of Virginia, with a few isolated congregations in Kentucky and Arkansas. Early in 1865, the Holston Conference in East Tennessee, was organized with a membership (almost exclusively white), of 6,462. The progress of this conference has been most extraordinary, the number of members in 1866 rising to 18,211, an increase of nearly 200 per cent. On October 11, 1866, a second annual conference was organized in the State of Tennessee, called the "Tennessee Conference," and numbering, at the time of its organization, 2,689 members, 484 probationers, 22 Sunday-schools, with 2,548 scholars. The Mississippi Mission Conference, which was organized in Dec. 1865, with 2,216 members, counted, in 1866, 6,568 members and 1,331 probationers, exclusive of the congregations in Texas, which on January 3, 1867, were organized into a separate annual conference (the "Texas Conference"), that on its start as a conference, counted a membership of 1,093 members and 491 probationers. The missions in South Carolina, Eastern Georgia

and Florida, were organized into an annual conference (South Carolina Mission Conference), on April 2, 1866, the membership of which, at its first meeting, was reported at 5,165 members in full connection, and 887 probationers. The progress of the Church was particularly rapid in Western Georgia and Alabama, where the missions on Jan. 24, 1866, were organized into the "Western Georgia and Alabama Mission District." Before the close of the year, this district had sprung into the proportions of an annual conference, having, in December, 44 travelling, about 52 local preachers, and nearly 6,000 members. The missions in Eastern Virginia and North Carolina, with 15 ministers and 675 members, were erected into an annual conference, on January 3, 1867. Together, these new conferences, organized in the late slave-holding States in 1865, 1866, and Jan. 1867, embraced a membership of about 43,000. There were also in successful operation, within the bounds of these conferences, two theological institutions, "The Thomson Biblical Institute," at New Orleans, and the "Baker Theological Institute," of Charleston; and two weekly papers were issued, the *New Orleans Christian Advocate* and the *Charleston Christian Advocate*. It was the common expectation of all the missionaries, that the Church would continue to make rapid progress in all the Southern States.

The "foreign missions" of the Church in Liberia, South America, China, Germany, India, Bulgaria, Scandinavia, embraced in 1865 202 missionaries, and 7,478 members; and the "domestic missions" among the Germans, Indians, Scandinavians, and Welsh, 26,075 members. The General Missionary Committee appropriated, for the year 1867, the sum of \$1,030,778; namely: foreign missions, \$306,674; foreign population in the United States, \$64,350; Indian missions, \$4,600; American domestic missions in 57 annual conferences (including six conferences in the South, \$158,400) \$449,100; missions in the United States not included in any annual conference, \$55,554; for building churches in the South, \$70,700; miscellaneous appropriations, \$80,000.

The number of colleges, universities, and Biblical institutes was in 1866, as follows:

Name.	Location.
Albion College.....	Albion, Michigan.
Alleghany College.....	Meadville, Pa.
Baker University.....	Baldwin City, Kansas.
Baldwin University.....	Berea, Ohio.
Cornell College.....	Mt. Vernon, Iowa.
Dickinson College.....	Carlisle, Pa.
Galesville University.....	Galesville, Wisconsin.
Genesee College.....	Lima, New York.
German Wallace College.....	Berea, Ohio.
Hamline University.....	Red Wing, Minnesota.
Illinois Wesleyan University.....	Bloomington, Illinois.
Indiana Asbury University....	Greencastle, Indiana.
Iowa Wesleyan University....	Mt. Pleasant, Iowa..
Lawrence University .....	Appleton, Wisconsin.
McKendree College.....	Lebanon, Illinois.
Mount Union College.....	Mount Union, Ohio.
Northwestern University.....	Evanston, Illinois.
Ohio Wesleyan University....	Delaware, Ohio.
University of the Pacific.....	Santa Clara, Cal.



Upper Iowa University.....Fayette, Iowa.  
 Wesleyan University.....Middletown, Conn.  
 Wallamet University.....Salem, Oregon.  
 Baker Theological Institute...Charleston, S. C.  
 Garrett Biblical Institute....Evanston, Illinois.  
 Methodist General Bib. Inst...Concord, N. H.  
 Mission Theological Institute.Bremen, Germany.  
 Thomson Biblical Institute....New Orleans, La.

The year 1866, the centenary of American Methodism, was celebrated throughout the United States by special services, by largely attended special meetings, and by contributions for the general centenary funds. As far as returned up to the close of the year, the contributions reached the sum of about four million dollars. The marvellous progress of the Church during the first century of its existence in the United States from decade to decade, is exhibited by the following table:

YEAR.	Travelling Preachers.	Increase of Preachers.	Members.	Increase of Members.
1766....	.....	.....	.....	.....
1776....	24	.....	4,921	4,921
1786....	117	93	20,689	15,768
1796....	293	176	56,664	35,975
1806....	452	159	130,570	73,906
1816....	695	243	214,235	83,665
1826....	1,406	711	360,800	146,565
1836....	2,928	1,522	650,103	289,303
1846....	3,582	654	644,229*	Dec. 5,874
1856....	5,877	2,295	800,327	156,098
1866....	7,576	1,699	1,032,184	231,857

II. *Methodist Episcopal Church South.*—This Church, which at the beginning of the late civil war numbered about 700,000, lost during the war, and in consequence of the abolition of slavery, at least one-half of the colored members. The first general conference since the beginning of the war, was opened at New Orleans on the 4th of April and lasted one month. The conference made numerous changes in the discipline, some of them merely verbal. The most important action was the following: the election of four additional bishops, making ten in all. Three of these, Bishops Soule, Andrew, and Early, were made supernumerary. The work was divided into seven episcopal districts, each bishop to be supported by the churches in the district over which he has supervision. The name of the Church was changed from "Methodist Episcopal Church South," to "Episcopal Methodist Church." This change, to be effective, must obtain the concurrence of a majority of all the members of the annual conferences present and voting on the question. The attendance upon class-meetings was made a privilege instead of a duty. The rule on the reception of members was changed, so as to do away with the preliminary relation of probation. The stewards of churches were allowed to estimate the pastors' salaries without any reference to

\* By the withdrawal and separation of Southern Conferences in 1844, organizing the Methodist Episcopal Church South, the Methodist Episcopal Church lost 1,345 travelling preachers, and 495,288 members, and yet so rapid was her growth during the decade, that at its close (two years after the separation) there was a net gain of 654 preachers, and a lack of only 5,874 members of making up the number lost.

amounts named in the discipline. Provision was made for monthly inquiry meetings, designed to examine the spiritual and financial condition of the charges. The Missionary Society was divided into two boards, foreign and domestic, and Baltimore designated as the headquarters of the former, and Nashville that of the latter. Several new annual conferences were organized (the whole number will now be twenty-seven), and the organization of several others authorized. The limit of the pastoral term was extended to four instead of two years. It was resolved to introduce lay representation into the annual and general conferences, but this change requires the concurrence of three-fourths of all the members of the annual conferences present and voting on the question.

The next session of the General Conference is to be held in Memphis, Tennessee, on the first Wednesday of May, 1870.

The chapter of the discipline regulating the relation of the Church to colored people, was so changed as to read as follows:

*Question.* What shall be done to promote the interests of the colored people?

*Answer 1.* Let our colored members be organized as separate pastoral charges wherever they prefer it and their number may justify it.

*Ans. 2.* Let each pastoral charge of colored members have its own quarterly conferences composed of official members, as provided in the discipline.

*Ans. 3.* Let colored persons be licensed to preach, and ordained deacons and elders, according to the discipline, when, in the judgment of the conferences having jurisdiction in the case, they are deemed suitable persons for said office and orders in the ministry.

*Ans. 4.* The bishop may form a district of colored charges and appoint to it a colored presiding elder when, in his judgment, the religious interests of the colored people require it.

*Ans. 5.* When it is judged advisable by the college of bishops, an annual conference of colored persons may be organized, to be presided over by some one of our bishops.

*Ans. 6.* When two or more annual conferences shall be formed, let our bishops advise and assist them in organizing a separate general conference jurisdiction for themselves, if they do so desire it, and the bishops deem it expedient, in accordance with the doctrines and discipline of our Church, and having the same relation to this general conference as the annual conferences have to each other.

*Ans. 7.* Let special attention be given to Sunday-schools among the colored people.

The committee on correspondence with other churches submitted their report, which was adopted as follows:

*Resolved, 1.* That the Methodist Episcopal Church South stands this day, as she always has stood, ready and willing to consider with Christian candor any unequivocal and Scriptural overtures for sympathy and fellowship which may be tendered her by any body of Christians in their general representative capacity.

*2.* That the General Conference most warmly reciprocates the fraternal greetings and expressions of Christian confidence from the Christian Union of Illinois by their representative, J. Deitzler.

*3.* That one bishop, and brother J. H. Lynn, be appointed fraternal messengers from this body to attend the annual council of the Christian Union.

*4.* That, should there be any Church or association



wishing to unite with us, they shall be received on giving satisfactory evidence of belief in our articles of religion, and willingness to conform to our discipline, ministers carrying the same grade as they held in their own church, according to the mode prescribed by their discipline.

The corresponding secretary of the Mission Society, Dr. Sebon, gave the following account of the condition of the missions of the Church.

At the commencement of the late rebellion this denomination had 257 domestic missions, with 210 ministers, and a membership of 43,376; also 248 colored missions, supplied by 207 ministers, and a membership of 76,264; also 25 Indian missions, with 30 native preachers, and 8 manual labor schools, with 465 students; also a large German mission, numbering in membership 1,178, and a flourishing mission in China. The effects of the war have paralyzed and scattered all these institutions, and to-day they are but wrecks. The secretary, however, took a hopeful view of the future, and recommended earnest effort upon the part of the conference to resuscitate and rebuild their waste places.

III. *Methodist Protestants, American Wesleyans, and Primitive Methodists.*—A convention of delegates from non-episcopal Methodist bodies, called with reference to the question of union, met in the Union Chapel, Cincinnati, on May 9th. A large number of delegates were present, representing the following ecclesiastical bodies: Muskingum, Pittsburg, Michigan, Genesee, Ohio, North Illinois, North Iowa, Western Michigan, Pennsylvania, West Virginia, Onondaga, Illinois, New York, Boston, Wabash, and South Illinois Conferences of the Methodist Protestant Church; Central Ohio, New York, Iowa, Indiana, Miami, Michigan, Rochester, Alleghany, and Syracuse Conferences of the Wesleyan Methodist Church; Union Chapel, (Cincinnati,) Independent Methodist Church; Union Church, Mount Vernon, Ohio; Union Chapel Church, Livonia, Michigan; Independent Church, Sumpter, Michigan; Church of the New Testament, (Dr. Stockton's,) Philadelphia. The convention organized by electing Rev. S. A. Baker, of New York, president. The following was adopted as a part of the constitution:

*Sec. 1.* The conditions required of those who apply for probationary membership in — church are: a desire to flee the wrath to come and be saved by grace, through our Lord Jesus Christ, with an avowed determination to walk in all the commandments of God blameless.

*Sec. 2.* The churches shall have power to receive members on profession of faith, or on certificate of good standing in any other Christian church, provided that they are satisfied with the Christian experience of the candidate.

*Sec. 3.* Every church shall have the right to hold and control its own property, and manage its own financial affairs, independent of all associated relations or bodies.

*Sec. 4.* Any church agreeing to conform to our book of discipline and means of grace may, on application to the president of a yearly conference, to an elder or pastor, or to a quarterly conference, be received as a member of this body.

*Sec. 5.* It is expected of all churches, as a condition of remaining connected with the general body, that they continue to conform with the constitution and the essential regulations contained in its book of discipline.

The Convention, by a vote of 109 yeas to 21 nays, adopted for the new organization the name "Methodist Church." A resolution respecting secret societies—condemning the same—presented in behalf of two members from the Wesleyan Alleghany Conference, was laid on the table by 46 to 29 votes.

The General Conference of the Methodist Protestant Church met at Alleghany city, Pennsylvania, on Wednesday, November 14th, and adjourned on the evening of the twenty-second. Rev. John Scott, D. D., presided. The important action of the session was the adoption of the constitution as adopted by the convention in Cincinnati, and of the discipline prepared by the committee there appointed, as amended by this convention, to take effect immediately upon its adjournment, and the change of name of the denomination from Methodist Protestant to "The Methodist Church," by which it will hereafter be known. This action is an important step toward the union of non-episcopal Methodist bodies, and a resolution was passed that all independent churches, who were such at the time of the Cincinnati Convention, numbering fifty members, and also all union members of churches in conferences which have taken action adverse to union, who may associate themselves together to the number of three hundred, shall be entitled to one minister and one layman as representatives of said church or association in the General Convention in Cleveland in May next. The *Methodist Protestant*, published at Springfield, Ohio, as the organ of the Church of the same name, has, since the union of the Methodist Protestants with the Wesleyans and Independent Methodists, under the simple name of "The Methodist Church," changed its title to "The Methodist Recorder." The several general Church boards, elected by the General Conference, are located as follows: the Board of Publication and the Board of Missions are located in Springfield, Ohio. The Board of Ministerial Education is located at Pittsburg. The Board of Trustees of the Collegiate Association has its executive committee located at Adrian, Michigan.

The "American Wesleyans" were greatly divided on the question of a union with the Methodist Protestants. A majority of the conferences declared against the union. Of those who opposed this union, many, including some of the most prominent men of the Church, declared in favor of a return to the Methodist Episcopal Church. The southern branch of the Methodist Protestant Church is tending toward the Methodist Episcopal Church South.

The 22d annual conference of the "Primitive Methodist Church" of the United States was held in New Diggings, Lafayette County, Wis., on the 17th of June. Thomas Leckley presided, and Rev. J. Sharp officiated as secretary. The subject of union with other non-episcopal Methodists was considered, and the following resolution adopted:

That we favor all means and measures to consum-



mate the proposed union of non-episcopal Methodists, and that we recommend all our circuits and missions to make toward said union as circumstances may lead us.

The publication of the American *Primitive Methodist* magazine was discontinued, and the membership advised to take in its place the *American Wesleyan*. The strength of the body may be seen from the following statistics, reported in 1865: forty-two Sabbath-schools, three thousand and eighteen teachers and scholars, twenty travelling preachers, (twenty-one now,) fourteen parsonages, and thirty-six churches, valued at \$42,200, under an indebtedness of only \$3,000. Their entire communion, preachers and people, aggregate over two thousand. The churches are located mainly in the southwestern part of Wisconsin and the northwestern part of Illinois.

IV. *Free Methodist Church*.—The membership of this church, in 1866, was as follows:

	Preachers.	Members.	Church Property.
Genesee Conference....	31	2,025	\$46,050
Illinois ".....	25	1,278	42,550
Susquehanna ".....	21	1,104	7,349
Michigan ".....	8	482	
Total,	85	4,889	\$95,949

The General Conference of the Church was opened at Buffalo, on October 10, 1866. The discipline was revised, and many changes made, but none affecting the main features of the demomination. Favorable action was taken toward establishing a weekly denominational paper. Rev. Levi Wood was elected editor, and authorized to commence the publication of the paper as soon as five thousand dollars were raised for the purpose. Rev. B. T. Roberts was reelected general superintendent.

V. *Evangelical Association*.—The general statistics of this branch of Methodism in 1866 were as follows:

Conferences.	Members.
East Pennsylvania.....	9,000
Central ".....	6,769
Pittsburg.....	4,858
New York.....	3,020
Canada.....	2,842
Michigan.....	1,593
Ohio.....	5,436
Indiana (1865).....	4,049
Illinois.....	5,691
Wisconsin.....	5,201
Iowa.....	2,980
Kansas.....	250
Germany† (estimated).....	3,000
	54,689

To these must be added 2,045 probationers, making the total membership 56,734, against 54,185, being an increase of 2,549. The number of itinerant preachers was 436; local preachers, 355; adults baptized, 683; children

baptized, 4,735; Sunday-schools, 699; Sunday-school scholars, 35,530; officers and teachers, 7,055; volumes, 86,057; catechetical classes, 252; catechumens, 2,309; churches, 702; probable value, \$882,850; parsonages, 171; probable value, \$119,471.

VI. *African Methodist Episcopal Church and African Methodist Episcopal Zion Church*.—The former of these bodies has about 70,000, and the latter 42,000 members. The quadrennial General Conferences of both bodies, held in 1864, declared in favor of effecting a union. The African Methodist Episcopal Zion Church held an extraordinary General Conference on the 20th and 21st of September, at Harrisburg, Pa., to discuss the union question. Sixty-one clerical and twenty-two lay delegates were in attendance, together with the entire board of superintendents.

As the validity of the call of this extra session was more than doubtful, action in the premises was not reached. The decision of the body amounted only to a postponement of the question till it could be lawfully decided. In no sense is it to be construed into a vote adverse to union. On the contrary, the tone of debate indicated a strong tendency to Methodist unification, and the prophecy was indulged that at no very distant day the whole American Methodist family would be consolidated into one Church. Doctrinally, the two Churches are a unit. The main ecclesiastical point of difference is, the African Methodist Episcopal Church has bishops with the tenure of office during good behavior, and the African Methodist Episcopal Zion Church has superintendents elected for only four years.

VI. *Great Britain and British Colonies*.—The 123d Conference of the Wesleyan Conference of England was opened at Leeds, on July 26th. Rev. William Arthur was elected president, and Rev. John Farrar, secretary. The vacancies in the Conference were 6 by death, and 10 by the retirement of supernumeraries. The Conference, to complete its number (the "Legal Hundred"), elected 4 new members by nomination; 12 were elected by seniority. The general statistics of Wesleyan Methodism were, in 1866, as follows:

	Members.	On trial.
Great Britain.....	331,183	20,819
Ireland (including Missions)	19,835	633
Foreign Missions.....	59,896	3,399
French Conference.....	1,694	159
Australasian Conference.....	47,695	8,012
Canada Conference.....	53,954	2,834
Eastern British America Conference.....	15,275	1,361
Total.....	529,537	37,217

These figures show an increase of members in Great Britain, during the last year, of 356; decrease in Ireland, 196; decrease on foreign stations, 2,649.

The "New Connection" Methodists reported

\* See "Minutes of the Annual Conferences of the Free Methodist Church for the year ending 1866," Rochester, N. Y. 1866.

† See "Almanac of the Evangelical Association" for 1867, published by the Denominational Book Concern, at Cleveland, Ohio.



at their last Conference 11 districts, 60 circuits, and 11 missions, 150 preachers, and 24,064 members in England; 7 circuits and stations, 6 missionaries, and 692 members in Ireland; 90 circuit preachers, and 8,028 members in Canada. There has been a total decrease of 233 of the foreign missions of this Church; that of China was, during the year 1866, specially successful.

The Bible Christians had, in 1866, 37 circuits and 43 home missions in England, and 53 abroad; with 245 itinerant preachers, 1,691 local preachers; 25,138 members; 1,050 on trial; 39,249 scholars; and 8,272 teachers.

The minutes of the 47th Annual Conference of the Primitive Methodist Connection, held in 1866, state that there are 880 travelling preachers, male and female; 2,992 connexional chapels; 3,183 rented chapels, etc., and 151,438 members; 2,835 Sunday-schools; 227,476 scholars, including the home and foreign missions.

The "United Methodists" numbered, in 1866, 65,757 members (including foreign missions); chapels, 1,140; itinerant preachers, 283; local preachers, 3,281; Sunday scholars, 134,362.

The Methodist bodies in Great Britain and the British possessions of North America are eagerly canvassing the subject of union. In Great Britain, the main branch of Methodists, the Wesleyan Connection, this year, for the first time, took action on the subject. In reply to an overture from the Conference of the Methodist New Connection, the Conference expressed a desire, in all ways that are open, to promote a fraternal feeling. They declared themselves unable to offer any suggestions for the organic union of the two Connections, but at the same time expressed their readiness to give their full attention to any proposals the New Connection Conference might be prepared to offer.

In the British possessions of America most of the Methodist bodies have declared themselves in favor of uniting in one General Conference for all British America.

**METRIC SYSTEM, THE.** In intercourse with foreign nations, as well as in our internal commerce, the great diversity of weights and measures in use has been the occasion of much difficulty and confusion. These weights and measures were not based on any common standard, and the foot, the acre, the mile, the ell, the yard, the bushel, the gallon, the pound, the stone, and the quarter, varied in quantity with each nation, and in Great Britain, France, and Germany, with almost every province or county. An English foot, a Paris foot, and a German foot differed by several inches; a German mile in length was about four times an English one, and the Irish and Swedish miles differed from either.

These perplexing variations in weights and measures produced so much annoyance in France that, in 1791, a body of *savants* were charged with the production of a permanent and uniform system of weights and measures, which should be made the standard for France.

Their investigations were delayed by the political condition of the country, but in June 1799, they finally settled upon the units of measure for length and weight, and developed from them the complete **METRIC SYSTEM**. It was desirable that the unit of length should be derived from some permanent and absolute measure of length, in which, when once ascertained, there could be no possible variation. The foot, the existing unit of length, was a very variable quantity, and there could be no absolute standard for it. It was based upon the average length of the human foot of an adult male; but this was a measure of length which in the nature of the case could never be absolutely exact. The French *savants*, after considering and rejecting numerous other offered units of length, finally agreed to deduce one from the circumference of the earth. To obtain this, they measured an arc of meridian in several directions, and comparing these measurements with those of other astronomers and hydrographers, deduced thence the distance from the pole to the equator, or one-fourth of the earth's circumference. Dividing this distance from the pole to the equator by ten millions, they obtained the unit which they sought, and gave it the name of **METER**, or measure.

It must be obvious to every intelligent mind that if this measurement of the quadrant of meridian was accurately made, it furnished a measurement absolutely perfect, and admitting of no variation either from contraction or expansion. There is, however, some reason to believe that there was not entire accuracy in the admeasurement of arcs of the meridian from which this length of the quadrant of the earth's circumference was based. Sir John Herschel, one of the highest authorities living on this question, insists, in a paper recently published, that there was a serious inaccuracy in the calculation of the length of these arcs of meridian, and opposes, on this ground, the introduction of the metric system into Great Britain to the exclusion of the so-called "imperial" system. We cannot see, however, that, except in astronomical and geodesic or hydrographic questions, there can be any just objection on this ground. Whether correctly or incorrectly, as relates to the actual length of a line bounding the earth's circumference, the length of the *meter* has been assumed as a fixed quantity, and the standard measures which represent that unit of length have been made of such metals, or combinations of metal, as do not vary in length from the influence of moderate heat or cold, and having been definitely determined, its multiples and subdivisions are equally fixed and absolute.

From this unit of length, the *meter*, all the other measures, of surfaces, of solids, of liquids, and of weights, are derived.

Thus, the unit of *measures of surface* or land measures is the *are*, from the Latin *area*, and is the square of ten meters, or, in other words, a



square of which each side is ten meters in length.

The unit of *solid measure* is the *stere*, from the Greek, and is the cube of a meter, or, in other words, a solid mass one meter long, one meter broad, and one meter high.

The unit of *liquid measure* is the *liter*, from the Greek, and is the cube of the tenth part of the meter, which is the *decimeter*, or, in other words, it is a vessel where, by interior measurement, each side and the bottom are square *decimeters*.

The unit of weight is the *gram*, which is the weight of a cubic *decimeter* of distilled water, each edge of the cube being one one-hundredth of a meter. The water must be weighed in a vacuum, and to be at the temperature of greatest density, viz: 4° centigrade or 39° 12' Fahrenheit. Such are the main elements of the metric system. But each of these has its multiples and its subdivisions. It is multiplied decimally upward and divided decimally downward. The multiples are derived from the Greek. Thus, *deca*, ten; *hecto*, hundred; *kilo*, thousand; and *myria*, ten thousand, prefixed to meter, signify ten meters, one hundred meters, one thousand meters, and ten thousand meters. The subdivisions are derived from the Latin. Thus, *deci*, *centi*, *milli*, prefixed to meter signify one-tenth, one-hundredth, and one-thousandth of a meter.

The system of weights and measures was at first bitterly opposed in France, the people being strongly attached to the old and imperfect systems; and though the authority of the first Napoleon was used to establish it, the feeble and inefficient Government of the Restoration did not insist upon its use, and it was not until 1840, when the authority of Louis Philippe was firmly established, that it was made obligatory by the laws of France. It has since been adopted wholly or in part by Austria, Baden, Bavaria, Belgium, Hamburg, Hanover, Hesse, Mecklenburg, the Netherlands, Parma, Portugal, Saxony, Sardinia, Spain, Switzerland, Italy, and Wurtemberg. In Great Britain and Prussia it is made permissive, and will soon be adopted peremptorily as the national system. On July

27, 1866, the Senate of the United States took up and passed the following bills, which had previously passed the House of Representatives, and receiving the executive sanction, became laws. It will be seen that they permit, but do not actually require the use of the metric system throughout the United States, in the post-office department, and in all commercial intercourse with foreign countries :

A Bill to authorize the Use of the Metric System of Weights and Measures.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That from and after the passage of this act, it shall be lawful throughout the United States of America to employ the weights and measures of the metric system; and no contract, or dealing, or pleading in any court, shall be deemed invalid, or liable to objection, because the weights or measures expressed or referred to therein are weights or measures of the metric system.

SEC. 2. *And be it further enacted*, That the tables in the schedule hereunto annexed shall be recognized, in the construction of contracts, and all legal proceedings, as establishing, in terms of the weights and measures now in use in the United States, the equivalent of the weights and measures expressed therein in terms of the metric system; and said tables may be lawfully used for computing, determining, and expressing in customary weights and measures the weights and measures of the metric system.

MEASURES OF LENGTH.

METRIC DENOMINATIONS AND VALUES.		EQUIVALENTS IN DENOMINATIONS IN USE.
Myriameter.	10,000 meters,	6,2137 miles.
Kilometer...	1,000 meters,	{ 0.62137 mile, or 3,280 feet and 10 inches.
Hectometer.	100 meters,	328 feet and one inch.
Dekameter..	10 meters,	393.7 inches.
*Meter .....	1 meter,	39.37 inches.
Decimeter .	$\frac{1}{10}$ th of a meter,	3.937 inches.
Centimeter.	$\frac{1}{100}$ th of a meter,	0.3937 inch.
Millimeter..	$\frac{1}{1000}$ th of a meter,	0.0394 inch.

MEASURES OF SURFACE.

METRIC DEMONINATIONS AND VALUES.		EQUIVALENTS IN DENOMINATIONS IN USE.
Hectare.....	10,000 square meters,	2.471 acres.
Are.....	100 square meters,	119.6 square yards.
Centare.....	1 square meter,	1550 square inches.

WEIGHTS.

METRIC DENOMINATIONS AND VALUES.			EQUIVALENTS IN DENOMINATIONS IN USE.
NAMES.	No. of grains.	Weight of what quantity of water at maximum density.	Avoirdupois Weight.
Millier or tonneau.....	1,000,000	1 cubic meter.....	2204.6 pounds.
Quintal.....	100,000	1 hectoliter.....	220.46 pounds.
Myriagram.....	10,000	10 liters.....	22.046 pounds.
Kilogram or kilo.....	1,000	1 liter.....	2.2046 pounds.
Hectogram.....	100	1 deciliter.....	3.5274 ounces.
Decagram.....	10	10 cubic centimeters.....	0.3527 ounce.
Gram.....	1	1 cubic centimeter.....	15.432 grains.
Decigram.....	$\frac{1}{10}$	$\frac{1}{10}$ of a cubic centimeter.....	1.5432 grains.
Centigram.....	$\frac{1}{100}$	1 cubic millimeters.....	0.1543 grain.
Milligram.....	$\frac{1}{1000}$	1 cubic millimeter.....	0.0154 grain.

\* A more exact expression of the value of the meter in inches and decimals of an inch is 39.3685 inches.



MEASURES OF CAPACITY.

METRIC DENOMINATIONS AND VALUES.			EQUIVALENTS IN DENOMINATIONS IN USE.	
NAMES.	No. of liters.	Cubic Measure.	Dry Measure.	Liquid or Wine Measure.
Kiloliter or stere.....	1,000	1 cubic meter.....	1.308 cubic yards.....	264.17 gallons.
Hectoliter.....	100	$\frac{1}{10}$ th of a cubic meter.....	2 bushels and 3.35 pecks...	26.417 gallons.
Decaliter.....	10	10 cubic decimeters.....	9.08 quarts.....	2.6417 gallons.
Liter.....	1	1 cubic decimeter.....	0.908 quart.....	1.0567 quarts.
Deciliter.....	$\frac{1}{10}$	$\frac{1}{10}$ th of a cubic decimeter,..	6.1022 cubic inches.....	0.845 gill.
Centiliter.....	$\frac{1}{100}$	10 cubic centimeters.....	0.6102 cubic inch.....	0.338 fluid ounce.
Milliliter.....	$\frac{1}{1000}$	1 cubic centimeter.....	0.061 cubic inch.....	0.27 fluid drachm.

Joint resolution to enable the Secretary of the Treasury to furnish to each State one set of the Standard Weights and Measures of the Metric System.

*Be it resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Secretary of the Treasury be, and he is hereby authorized and directed to furnish to each State, to be delivered to the Governor thereof, one set of the standard weights and measures of the metric system, for the use of the States respectively.

A Bill to authorize the Use in Post-Offices of Weights of the Denomination of Grams.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the Postmaster-General be, and he is hereby authorized and directed to furnish to the post-offices exchanging mails with foreign countries, and to such other offices as he shall think expedient, postal balances denominated in grams of the metric system, and until otherwise provided by law, one-half ounce avoirdupois shall be deemed and taken for postal purposes as the equivalent of fifteen grams of the metric weights, and so adopted in progression; and the rates of postage shall be applied accordingly.

For many purposes, approximations to the exact values of these weights and measures are, in other and more generally known terms, sufficient for the purpose of their conversion to our ordinary terms, or the reduction of them to the metric system. We subjoin a few which are easy of calculation :

1 millimeter	=	about $\frac{1}{25}$ th of an inch.
1 decimeter	=	" 4 inches.
1 meter	=	" 1.1 yard.
5 meters	=	" 1 rod.
1 decameter	=	" .5 of a chain.
1 kilometer	=	" .625 of a mile, or 200 rods or $\frac{5}{8}$ of a mile.
1 centiare	=	" 1.2 of a square yard.
1 hectare	=	" 2.5 acres.
1 liter	=	" $1\frac{1}{8}$ quarts, or .375 of a gallon.
1 hectoliter	=	" $2\frac{3}{4}$ bushels, or $\frac{3}{4}$ th or .833 of a barrel.
1 kilogram	=	" 2.2 pounds avoirdupois, or 32 oz. troy.
$1\frac{1}{16}$ tonneaux	=	" one long ton, or 2,240 pounds.
1 tonneau	=	" $1\frac{1}{16}$ short ton of 2,000 pounds.

In cases where greater accuracy is required, the following table of comparison with the United States standard weights and measures will be found of great service. It gives the multiplier or divisor for reducing metres, litres, etc., into feet, inches, quarts, etc. In order to reduce the common weights and measures into grams, metres, etc., *multiply by the divisor, or divide by the multiplier.*

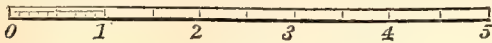
The multipliers and divisors are given in most cases to four or five decimals only. Greater accuracy may be obtained in comparing lengths, surfaces, and capacities, by considering the metres as 39.3685 U. S. inches, and in comparing weights by considering the kilogram as 2.20606 pounds avoirdupois. The gallon is called 231, and the bushel 2150.42 cubic inches.

Multiply	metres	by	39.3685	or divide	by	.0254	to get	inches.
"	metres	"	3.2807	"	"	.30481	"	feet.
"	metres	"	1.09357	"	"	.91444	"	yards.
"	metres	"	.19883	"	"	5.6294	"	rods.
"	kilometers	"	.62135	"	"	1.6094	"	miles.
"	sq. metres	"	1550.	"	"	.0006452	"	square inches.
"	sq. metres	"	10.763	"	"	.09291	"	square feet.
"	sq. metres	"	1.196	"	"	.8362	"	square yards.
"	ares	"	3.953	"	"	.2529	"	square rods.
"	hectares	"	2.4709	"	"	.4047	"	acres.
"	hectares	"	.003861	"	"	250.	"	square miles.
"	liters	"	33.81	"	"	.02958	"	fluid ounces.
"	liters	"	1.05656	"	"	.9465	"	quarts.
"	liters	"	.26414	"	"	3.786	"	gallons.
"	hectoliters	"	2.837	"	"	.3524	"	bushels.
"	liters	"	61.012	"	"	.01639	"	cubic inches.
"	hectoliters	"	3.531	"	"	.2832	"	cubic feet.
"	steres	"	1.3073	"	"	.7646	"	cubic yards.
"	steres	"	.2759	"	"	3.625	"	cords.
"	grams	"	15.44	"	"	.9648	"	grains.
"	kilograms	"	32.147	"	"	.02108	"	troy ounces.
"	kilograms	"	35.30	"	"	.02833	"	avoirdupois ounces.
"	kilograms	"	2.681	"	"	.373	"	troy pounds.
"	kilograms	"	2.206	"	"	.4536	"	avoirdupois pounds.
"	tonneaux	"	.985	"	"	1.015	"	long tons.
"	tonneaux	"	1.103	"	"	.9066	"	short tons.

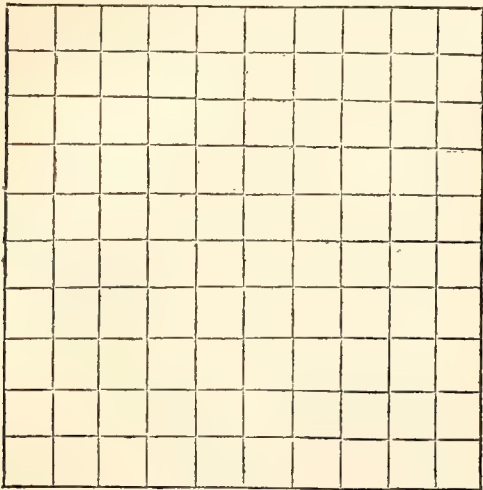
To make the metric system more easy and plain of comprehension, we give the following illustrations: 1. *The meter.*—This is a measure of length, and the cut represents five cen-



timeters, or one-twentieth of a meter. Its divisions show what is the exact length of the centimeter.



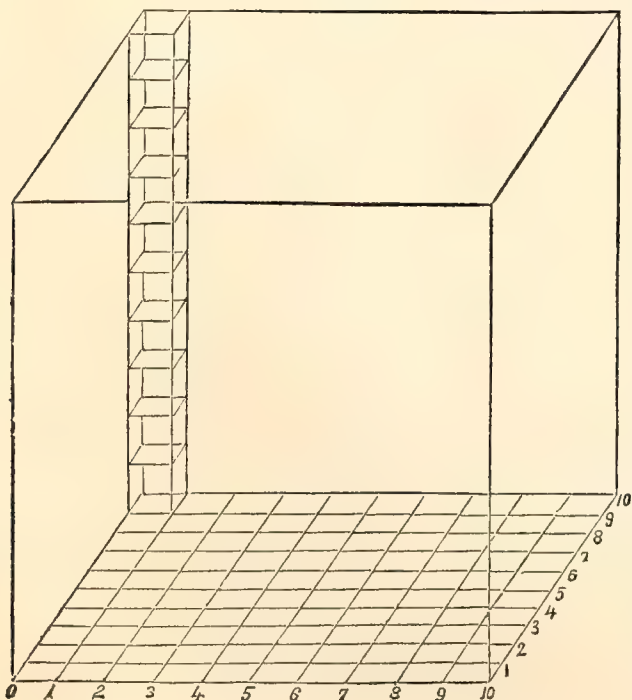
2. *The Square Meter.*—This, as the figure demonstrates, contains one hundred square decimeters, each side being one meter or ten de-



cimeters in length, and each square decimeter, if subdivided, would be found to contain one hundred square centimeters.

3. *The Cubic Meter.*—Each of the six faces of the cubic meter is a square meter, and it consequently contains one thousand cubic decimeters, and each cubic decimeter one thousand cubic centimeters, as the figure demonstrates.

The metric system is already in use in some arts and trades in this country, and is especially adapted to the wants of others. Some of the measures are already manufactured at Bangor, Me., to meet an existing demand at home and



abroad. The manufacturers of the Fairbanks scales say that for several years they have had a large export demand for their scales with the French weights, and that the demand and sale are constantly increasing. For the uses of the chemist, the apothecary, the manufacturer jeweller, and all artisans engaged in the finer descriptions of work, and for all scientific purposes, this system is greatly preferable to that hitherto in vogue. Since the passage of the act of Congress, the chambers of commerce in several of our larger cities have taken up the matter, and reported favorably on the more general introduction of the system in the weighing and measuring of commodities for sale or export.

MEXICO. The opening of the year found the condition of affairs in Mexico as deplorable as the most determined enemy of Imperial rule could desire. Wherever the authority of Maximilian was sustained by an imposing military force, there was, at least, a semblance of order and established government; but in those parts of the country—and they were many—where the military arm could not be felt, rapine, murder, and outrages too horrible to relate, were of daily occurrence. The organized armies of the Republic had long ceased to exist, and in place of them scattered bands of guerillas and irregular soldiery, commanded by leaders of more or less notoriety and daring, kept the northern and southern States of the country in continual disorder. The Imperialists controlled but a small portion of the entire territory, although that portion, it must be admitted, comprised the richest and most populous States of Mexico, constituting the real seat of the Mexican nation. This was the central table-land, upon which, from a period long anterior to the Spanish Conquest, the population seems to have concentrated itself, and to have dominated more or less over the adjoining regions lying between it and the coast. Central Mexico, with its wings on the Gulf and the Pacific, with a population of six and a half millions within an area of 240,000 square miles, was practically and substantially in the hands of the Imperialists. It included the great table-land of Anahuac from Puebla to San Luis Potosi, the healthier portions of the valleys of the three principal Mexican rivers, the Panuco, Santiago, and Mescala, all the great mining districts, and almost every town containing over 30,000 inhabitants. The rich and flourishing cities of Mexico, Puebla, Guanajuato, Leon, Queretaro, Guadalajara, Morelia, Jalapa, Vera Cruz, and San Luis Potosi, with the principal manufacturing establishments of the country, were all within its limits. Though comprising not more than one-third of the entire area of the country, this district contained nearly four-fifths of the whole population and a much greater proportion of the wealth. North of it lay a vast region containing 450,000 square miles, but less than 1,200,000 inhabitants, which, with the exception of small portions precariously held by the



Imperialists, was substantially under the control of the Republicans; and to the south were the provinces forming the isthmus of Tehuantepec, also under the control of the Republicans, and those forming the peninsula of Yucatan, which were nominally in the hands of the Imperialists, although in reality the descendants of the Spaniards, whether Imperialists or Republicans, scarcely held their own against the aboriginal tribes, whose power had never been broken.

It will thus be seen that the military situation, at the commencement of 1866, did not differ materially from that of January, 1865; the Imperialists held the central portion of the country, while on their flanks, both north and south, hung a restless, unscrupulous, and vindictive foe, whose activity kept them in continual alarm, and whose offensive power was still formidable enough to excite serious apprehension. The guerilla may be said to have been omnipresent, and was especially active in those parts of the country held by the Imperialists, where mountain ranges afforded a place of concealment or refuge, whence he could sally unexpectedly upon his foes. Upon this class of belligerents the Imperial leaders inflicted the most summary punishment, insomuch that it has been computed that upward of fifteen thousand of them were shot or hanged previous to 1866. But the desire of vengeance or the hope of plunder seems to have rendered the Mexican guerilla insensible to danger and indifferent to death, and he carried his depredations to the very gates of the capital. In parts of the country, where the Imperialists were in force, these operations were, of course, conducted with caution, and guerillas rarely showed themselves by day unless in overpowering numbers. At night they roamed at will, and from their superior knowledge of the country, their mobility, and the ready assistance afforded them by the native population, they proved in reality more formidable opponents than if they had met their enemies in the open field. To fight these men with their own weapons the Imperial government organized a force known as "Contra-Guerrillas," which, under the lead of Colonel Dupin, a man of immense energy, coolness, and audacity, succeeded in exterminating the guerillas in certain quarters most infested by them. "The exploits of this man," writes a correspondent from Mexico, "are known in every Mexican household, and his name is a terror everywhere. He conceived the idea of organizing a command to operate against the bandits that infest every road in the empire. He commenced by hanging or shooting every robber that he caught, and, strange to say, he calculated that ninety-nine in every hundred Mexicans were robbers. When he appears in a neighborhood a Liberal or robber cannot be found. They avoid him as they would a sweeping pestilence. His acts are often cruel, and his power abused; but in some localities in the mountains robbers have undergone complete annihilation. The merciless bandits were swung up to trees without ceremony,

and often without trial. So brigandage is not so popular a profession as formerly in portions of Mexico."

Early in January, the Imperialists being then in possession of the chief towns in Northeastern Mexico, some excitement was caused by an expedition, undertaken by American sympathizers with the Liberal cause, from the Texas shore of the Rio Grande to Bagdad on the Mexican side of the river, near its mouth. The Imperial garrison, numbering about 200 men, was captured, together with the commander of the post, and the town was given over to indiscriminate plunder. To preserve order and protect the interests of resident Americans, a body of American troops was ordered to occupy the place, but, upon the remonstrance of the commander of the French fleet off Bagdad, they were subsequently withdrawn. The capture and pillage of Bagdad was afterwards disavowed by General Weitzel, commanding the United States forces in Texas, who also issued an order directing the arrest of all armed persons found lurking in the district of the Rio Grande. This action of the authorities served to quiet the apprehensions entertained in some quarters, that the occupation of Bagdad might complicate our relations with the French government.

A minute account of military operations in Northern Mexico, which was, at the commencement of 1866, the chief theatre of resistance to the Imperial rule, would be incompatible with the limits or the scope of this article, and would besides possess little interest to the general reader. The Republican leaders were, for the most part, unknown or obscure men, and the battles, sieges, and marches of the opposing forces, although magnified into great proportions in the newspaper accounts, were in reality conducted on too small a scale to render them of value as military precedents. President Juarez still remained at El Paso, in the extreme northern part of Chihuahua, on the Rio Grande, and Escobedo, the chief Republican general in the north, after suffering defeat before Matamoros, had retreated to Camargo, in the northern part of the State of Tamaulipas. His lieutenants, Cortinas and Trevenio, were somewhere in Tamaulipas or New Leon, and in Southern Tamaulipas the partisan chiefs, Mendez and Gomez, were operating. Farther to the west Corona in Sinaloa, and Pesquiera and Morales in Sonora, harassed the Imperialists by constant demonstrations of greater or less importance. In Southern Mexico the veteran Alvarez, with his Pinto Indians, held the mountain fastnesses of Guerrero; Regules was in Michoacan, and in Oajaca Porfirio Diaz, one of the ablest leaders the Republicans had, in spite of all kinds of reverses, undauntedly kept the field against the Imperialists. Every day demonstrated the difficulty, not to say the impossibility, of holding the northern States with the forces at the disposal of the Imperial government. The total strength in January of the French Army of Intervention, probably did not exceed 30,000 men;



the foreign mercenaries in the Imperial service numbered about 20,000, and the native troops as many more. Hence it was suspected that the reports of large reinforcements, sent by Marshal Bazaine to Queretaro and San Luis Potosi in January and February, had reference, not to a new movement of the Imperialists into Northern Mexico, but to a concentration of forces for the purpose of covering a general retreat from that part of the country.

Military operations in the early part of the year in Chihuahua and Coahuila were of too desultory a character to be worth the description; but in Sonora and Sinaloa something more resembling a systematic plan of campaign seems to have been attempted. On the 7th of January the Republicans captured Alamos, described as the key of Sonora, committing, it is said, great excesses; and so active were the movements of Pesquiera and his colleagues that in May the Imperialists held within this State only the seaport Guaymas, and Hermosillo and Ures, the principal positions in the valley of the San Pedro. "We may look where we will," said the Imperial commander at Ures, in a proclamation dated March 26th, "we can see nothing but acts of vandalism, violence, death, and blood. The dissidents seem to desire the wreck of the whole country, and, aided by the desperadoes of the bordering States and Territories of the United States, they are sweeping the country as with a brand of blood. We have been left a mere handful of men to cope with the myrmidons of Juarez. All that there now remains must either become sacrifices to this tornado of blood or seek safety in flight." On the 4th of May Pesquiera captured Hermosillo by assault, and for hours the town was given up to plunder and excesses of all kinds; but two days later he was driven out by Tanori, an Imperialist leader. The loss of property from the operations of war in Alamos and Hermosillo alone was estimated at \$2,500,000. While the Imperialists were thus hard pressed in Sonora, in Sinaloa they fared no better, and the seaport, Mazatlan, where alone they maintained a considerable force, was, like Guaymas, so closely beset by guerillas, as to be practically in a state of siege. In March they were defeated near this place by Corona, and in the succeeding month a considerable force of Imperialists, which, under the command of Losada, had marched to their succor from the State of Jalisco, was so roughly handled by the same leader, that it was compelled to retreat to Tepic. Thither it was followed by Corona, who first left a force sufficiently large to invest Mazatlan on the land side.

While matters were proceeding thus favorably for the Republican cause in the north the fortunes of war were more varied in the south. In Oajaca the Republicans experienced repeated defeats, and their small and scattered forces could do little more than perform guerilla service. In Michoacan, however, they were more fortunate, and in a severe engagement near

Morelia in February, between Regules on the one side, and the Imperialist Mendez on the other, the latter was so much crippled as to be compelled to go in person to Mexico and ask for reinforcements. With a vitality surprising in a people who for three years had encountered almost constant defeat, partisan bands continued to make their appearance in all parts of Michoacan and Oajaca, and even threatened the important towns of Puebla and Orizaba, causing considerable alarm in the capital.

Turning again to the north we find Escobedo recuperated from the disastrous campaign of the previous year against Mejia in Matamoras, gathering his forces for another attack upon that place, and sending partisan bands of foragers far down into Zacatecas and San Luis Potosi. Such was the enterprise displayed by the Republicans, coupled with the difficulty experienced by the Imperialists in holding the vast territorial area which they claimed to have conquered in the north, that by the 1st of May the latter probably controlled less territory than in any month during the two previous years. In April Escobedo, joining his own command to several smaller bodies of partisan troops, captured Catorce, in the State of San Luis Potosi, next to Guanajuato, the seat of the largest mint in Mexico, where he seized a large sum in newly-coined silver. Continuing to gain strength while the Imperialists exhibited a weakness which was significant of coming disaster, he soon afterward again laid siege to Matamoras, or rather remained in the neighborhood of the city, in the hope that an opportunity would occur to seize the prize so long coveted by the Republicans. Such a one was afforded in the latter part of June, when, in consequence of the weakening of the Imperial garrison by the departure of a force to protect the transit of merchandise to Monterey, Mejia found himself compelled to surrender. The terms, however, were reported to be very favorable, the troops in Matamoras and those detached to Monterey, which had also been captured, having been soon after liberated, and security promised to private persons and property. This, the first signal success gained by the Republicans in two years, may be considered the turning point in the struggle between them and the Imperialists for the possession of Mexico. Thenceforth it will remain for us to chronicle a series of almost uniform successes for the Republicans, induced in no small degree by other circumstances than strategic skill or superior resources, which, at the close of 1866, left the empire of Maximilian apparently tottering to its fall.

While matters thus looked more hopeful for the Republican cause in the northeast, no material change was perceptible along the Pacific coast or in the south. In the former quarter the Imperialists still clung to the seaports, which, with the aid of French war vessels, they seemed abundantly able to hold, although estopped from any attempt to penetrate again into the interior. Acapulco, in Guerrero, was



like Guaymas and Mazatlan, closely invested on the land side by Alvarez and his Pinto Indians, and by the beginning of July the garrison was reported to be reduced by diseases of the climate to less than a quarter of the number of men brought there in the autumn of 1865. The general military situation on the Gulf coast could be defined in a few words. The Imperialists, retiring before the floods and malaria of the coast, confined themselves to holding unmolested their line of communication with Vera Cruz and guarding the approaches to the table-land. With these exceptions the whole coast from Matamoras to Yucatan seemed overrun by guerilla bands, the central provinces alone enjoying a semblance of tranquillity.

As the season advanced the Imperialists grew gradually weaker in the north, and in a corresponding degree the Republicans, emboldened by the promising appearance which their cause began to assume, gained in numbers and enterprise. Early in July, Escobedo began to concentrate his forces at Linares and other points for the purpose of a combined attack on Monterey. This, however, proved to be unnecessary, for on the morning of the 26th the French commander, General Jeaningros, quietly withdrew from the town with his forces and marched south to Saltillo, having previously spiked such guns as he was compelled to leave behind, and destroyed a large quantity of ammunition. On the evening of the 27th a small force of Republicans occupied the deserted fortifications, and, on the 5th of August, Escobedo made his triumphal entrance amidst enthusiastic demonstrations of welcome. Almost simultaneously with Monterey Saltillo was evacuated, and the Imperialists, garrisoning the two places, fell back upon San Luis Potosi. Close upon this success came the attack upon Tampico by the Republican forces under Cuesta and Gomez, who, on August 4th, occupied the whole city with the exception of two forts in which the French portion of the garrison (the Mexican Imperialists having previously gone over to the Republicans) had taken refuge. A few weeks later these also surrendered, and the whole State of Tamaulipas was free from Imperial troops. Some time previous to this Chihuahua had been abandoned, and by the beginning of September nearly all the northern States were won back to the Republic. Durango, in the State of that name, and Mazatlan, were almost the only places occupied by Imperial garrisons. Taking advantage of this favorable turn of affairs, Juarez, in August, broke up his residence at El Paso, on the northern confines of the country, and once more established the Republican seat of government in Chihuahua, whence he prepared to move southward to Monterey or Durango, whenever it should appear that the recent signal successes of the Republicans rested on a substantial basis. During these months of triumph in the north, little beyond the usual routine of guerilla warfare occurred in the Southern States, but it became apparent with every week that the Repub-

licans in that quarter were gaining in strength and audacity. Along the Sierras to the north and east of the capital they became, in August, exceedingly troublesome to the scattered Imperial garrisons, capturing and plundering numerous small towns, and almost paralyzing commerce. The city of Jalapa was so harassed by them as to be practically in a state of siege, and, in consequence of rumors of a threatening demonstration by Porfirio Diaz and Figueroa against Puebla from the direction of Oajaca, the French were constrained to reinforce the Imperial garrison of that place. Wherever the Republicans risked a pitched battle—if the engagements of the opposing forces could be considered worthy of the name—they were very generally beaten; but their efficiency as partisan troops remained unimpaired, and indeed, under the influence of the favorable news from the north, continued to increase. During the spring and summer the Imperialists continued to concentrate at San Luis Potosi under the personal direction of Marshal Bazaine, who, it was reported, had only temporarily evacuated the strong positions in Northern Mexico, and was meditating a new aggressive campaign of formidable proportions in that direction. But as week after week passed away without the departure of a column toward either Monterey or Tampico, the opinion began to gain ground that the French were really about to evacuate, a country which had proved so easy to conquer, but so difficult to hold, and that the demonstration at San Luis Potosi was merely for the purpose of covering their retreat to the central States. If Bazaine had ever entertained the idea of reconquering the deserted northern States, he was obliged to relinquish it in consequence of the increasing boldness of the Republicans around Jalapa and Puebla, and in fact along many points of the line of communication between Vera Cruz and Mexico. This it was absolutely essential for the safety of the French troops under his command that he should hold; and to scatter his forces in campaigns in distant provinces was to incur the loss of supplies from Vera Cruz, without any real compensating advantage. Hence he remained at San Luis Potosi, seeming rather to invite an attack from the forces of Escobedo, daily increasing in numbers and efficiency, than to wish to take the initiative in a new campaign.

The year 1866 opened upon the empire of Maximilian not very auspiciously in respect to civil affairs. Its financial condition, in particular, was such as to create unfeigned alarm. In our previous volume it was stated that M. Langlais, a Frenchman of considerable experience and ability, had been sent to Mexico by Napoleon III., at the request of Maximilian, to endeavor to place the finances of the country upon a sound footing. The efforts of this gentleman, which seem to have been prompted by a sincere desire to reform flagrant abuses and to institute a rigid system of retrenchment, were frustrated by his sudden death in February, before the



plans suggested by him could be properly matured, much less put in successful operation. These certainly would have delayed the financial ruin impending over Maximilian's empire; and might, possibly, in the event of certain contingencies, have averted it altogether. The last decree issued by him is characteristic of the rigid measures considered necessary to buoy up the sinking ship of state. It ordered the immediate collection of the international duties at all the ports on the coast, and contained a retroactive clause imposing an additional duty of thirty per cent. on all stocks of goods on hand on which duties had previously been paid, and authorizing the government officials to visit warehouses and ascertain, by investigation, whether the stocks on hand corresponded with the reports rendered. This was strenuously resisted by the merchants, a deputation from whom visited the emperor to remonstrate against the enforcement of the decree. Maximilian referred the memorial to his council of state, but Marshal Bazaine, with small regard for the constituted authorities, ordered the decree of M. Langlais to be carried into effect forthwith. After the death of Langlais all became confusion again in the incompetent ministry of Maximilian. An empty treasury, large outstanding engagements, and current expenditures, which seemed daily to increase instead of diminish, stared them in the face, added to which embarrassments were the growing strength of the Republicans in the north, and the rumors fast gaining in credibility of the contemplated withdrawal of the French troops. A situation more critical could scarcely be conceived. Nevertheless the unpractical men who controlled the government consumed week after week in discussing the budget, proposing retrenchment and additional taxes and a variety of schemes of reform, but doing actually nothing to avert the fall of the empire.

At this crisis the rumors of the return of the French received an official verification, which proved none the less alarming, because it had been so long anticipated. The first orders looking toward this act were issued on the 18th of October, 1865, in consequence of a suggestion made by our minister, Mr. Bigelow, that the United States would recognize the empire of Maximilian, which was even then in a tottering condition, so soon as the French had departed. This suggestion was made by Mr. Bigelow upon his own responsibility, and he insisted that the departure of the French must precede recognition. The President disapproved of Mr. Bigelow's tender of recognition, but France was informed that she might rely upon our friendship and neutrality; and on the 5th of April, 1866, M. Drouyn de Lhuys, referring to Mr. Seward's pledge of non-intervention after the departure of the French troops, informed the Marquis de Montholon, Napoleon's representative in Mexico, that the emperor had decided that the troops should evacuate Mexico in three detachments, the first being intended to go in November,

1866; the second in March, 1867; and the third in November of the same year. This decision, when announced in the Mexican capital, produced a less embarrassing effect than might have been supposed, for, by giving the alarm to the Conservative party, which had cooperated with the now almost defunct Church party in bringing about French intervention, it rallied that powerful organization, comprising all the landed and financial aristocracy of the country, to the aid of Maximilian. Both these classes, which had, out of shortsightedness, distrust, and egotism, withheld loans so long as they feared that their country might become a dependency of France, now that this suspicion was removed, became alarmed for another reason. They were afraid of retaliation on the part of the Liberals, which would assume the shape of an extensive spoliation, as had already happened in the former civil wars of Mexico. This afforded the key to their last demonstration in behalf of the empire, on which they now leaned, not on account of any sympathy, but simply as a matter of personal security. Almost immediately they began to negotiate for renewed alliance and cooperation with the alienated Church party, and, it was said, urged prominent ecclesiastics to authorize the sale of valuable but unnecessary church furniture, rather than suffer Maximilian, who, better than any one else, could afford them security, to leave the country. To show their sincerity in the matter, they came forward themselves, first of all, and supplied the immediate needs of government by a loan of several millions.

Toward the close of July Maximilian, with a view of identifying himself more completely with the only party on which he could now rely for support, remodelled his ministry so as to make the Conservative element predominate in it. On the 20th he notified Lacunza, President of the Council, and Minister of Finance since the death of Langlais, that his services would no longer be needed by the government, and also issued decrees appointing General Osmont, chief of staff of the expeditionary corps, Minister of War; and General Friant, the intendent-general of the same corps, Minister of Finance.

Other removals of minor importance were made, and several departments which seemed rather ornamental than useful were merged into more important ones or discontinued. The retiring ministers belonged to that section of the Liberals which accepted the empire, and which, as is well known, Maximilian endeavored to conciliate and attach to him by giving it the most important employments. As a bid for a renewed lease of power, the dismissal of the Liberals was doubtless the best thing to be done under the circumstances, and the appointment of French officers to the most important posts seemed to indicate a desire to solicit further aid from Napoleon, and, if possible, retain a portion of the expeditionary force in the country. The latter object, as will subsequently be seen, was entirely defeated. About this time a



mission was undertaken to Europe by the Empress Carlotta, with a view to strengthen the alliance with France by means of a personal interview with Napoleon, and, if possible, obtain additional subsidies to sustain the tottering empire of Maximilian. The empress departed early in July, accompanied by Castillo, the Mexican Minister of Foreign Affairs and other officials, and arrived in Paris on the 9th of August. To the inquiries of the American minister as to the truth of certain rumors connected with an interview between the empress and Napoleon, the French Minister of Foreign Affairs replied: "We have received the empress with cordiality and courtesy, but the plan heretofore determined upon by the emperor's government will be executed in the way announced." From Paris the empress proceeded to Rome and sought an interview with the pope. On this occasion the whole vexed subject of the Concordat, the sequestration of Church property in Mexico, and Maximilian's decrees of religious toleration was discussed, with a result satisfactory to neither party. The pope positively refused to sanction the Concordat proposed by Maximilian, in spite of the most earnest solicitations of the empress; and the mind of the latter, distracted by disappointment and a multitude of cares, finally broke down under the excitement with which she was laboring. In a second visit to the Vatican she exhibited undoubted symptoms of impaired intellect, which were soon developed into confirmed insanity. In this distressing condition she was conveyed, as soon as she was able to bear the journey, back to Miramar, where, at the close of the year, she still remained, in no perceptible degree recovered.

Meanwhile Maximilian was harassed by many perplexing questions, not the least urgent of which was the adoption of a plan for recruiting a force of native troops, to take the place of the departing expeditionary corps. Enlistments proving unavailing, he had resort to a conscription, with the usual provisions for exemption, and an additional one permitting a drafted man to pay \$400 to the government for a substitute. This proved also a failure. The able-bodied men fled to the mountains and other hiding-places before the day of drafting arrived, leaving none but exemptions behind them; and the official journal of the capital finally announced that the entire conscription had been indefinitely postponed as "unnecessary." Meanwhile the Republicans were pressing upon the central States from the north and south, and but a few weeks would intervene before the departure of the first detachment of French troops. Nothing remained, therefore, but to return to the old system of enlistments. The influence of the Conservatives began to be felt about this time in the severe penalties inflicted upon the press for the publication of exceptional articles; and the mild and conciliatory measures which signalized the arrival of Maximilian in the country gradually gave place to a

petty despotism modelled after the pattern of absolute European powers. On August 16th was celebrated throughout Mexico by Imperialists and Republicans alike the fifty-sixth anniversary of the national independence. The Republican programme, it was said, included an uprising in every town garrisoned by the Imperialists. But this does not seem to have been carried into effect to any considerable extent. In the capital Maximilian went in state to the cathedral and heard a "Te Deum," after which he held an audience in the palace, where, in reply to a congratulatory address from the president of the Cabinet, he delivered the following speech:

**MEXICANS:** For the third time, as chief ruler of the nation, we are celebrating the great and glorious day of your independence. On such a day we recall to remembrance the patriots of the country, and it is necessary that I speak to you frankly from my heart when I rejoin with you in a review of the past. Fifty-six years have passed since you gained your independence.

It is a half century, during which Mexico has wrestled for real independence and pacific consolidation.

This struggling and patient toil of patriots is merely a repetition of those events and trials through which each nation has to pass ere it reaches a grand and strong position.

Your first period has passed without sacrifice of blood, without punishment, without human triumphs, without steady progress, and without political standing. This lesson of the first period of our history directs us how to proceed now without further sacrifices; how to make union, and engender an inimitable faith in our future.

Let all act with energy in his sphere toward accomplishing the great work of regeneration, then our work will not be fruitless, and there will follow a consciousness of having performed our duty.

I have undertaken the great work of regeneration, and have confidence that my labors will ultimately be crowned with peace and prosperity for the country.

Nevertheless, I am firmly established in the place that the voice of this nation called me to occupy. Notwithstanding all my difficulties, I shall not prove vacillating in my obligations. A Hapsburg never deserts an arduous post.

The greater part of the people of the nation elected me to defend their most sacred rights against the makers of disorder and the destroyers of true independence. It is a sacred truth that the voice of the people is the voice of God.

The departed heroes of the country are watching our efforts. Before us are their immortal examples of toil and perseverance. To us is given an enviable task—to make solid and crown the work of independence that they consecrated with their precious blood.

Mexicans! let independence and the remembrance of your immortal martyrs live.

In spite of this spirited harangue, and of rumors of active military movements to be undertaken by the Imperialists, one of which represented that the emperor was about to take the field in person at the head of his army, almost the next intelligence from Mexico was to the effect that, on October 22d he left the capital forever, *en route* for Vera Cruz. The reasons for this sudden though not unexpected move, have never been satisfactorily given, but may readily be conjectured. Deserted by Na-



poleon, harshly treated by the pope, harassed by Bazaine, hated by both Liberals and Conservatives, and surrounded by men in whose ability, honesty, and fidelity, he could place little reliance, it is scarcely to be wondered that the unfortunate prince should break down under the weight of cares pressing upon him, not the least of which was the dreadful malady afflicting the empress, of which he had just received intelligence, and should wish to abandon a country so full of misfortune to himself and its inhabitants. Upon reaching Orizaba Maximilian received a dispatch from Bazaine, urging him to delay his departure, and pointing out the propriety of his making a formal abdication before embarking. He is even said to have insisted on the necessity of his immediate return to the capital. Whether or not this message was coupled with a threat to prevent his departure unless a formal abdication should be made, or whether Maximilian understood that he would not be allowed to go except under such a condition, and was therefore virtually a prisoner of state, it is certain that he stopped short at Orizaba on his journey to the coast, and remained there for several weeks. During this time, as may be supposed, the French were greatly perplexed what course to pursue, while the Conservatives were alarmed at the prospect of losing the head of an empire on which they had staked their all. It became apparent to both parties that an effort must be made to retain Maximilian in the country, and after considerable correspondence had passed between the capital and Orizaba, a delegation from the ministry and council of state departed for the latter place on November 22d. Thither also came Conservative deputations from several of the neighboring States, on whose arrival a council of deliberation was opened, in which every argument was urged to persuade the emperor to remain in Mexico, and make a final effort to establish his throne on a firm basis. To add weight to their entreaties, the Church party stepped in at this juncture, with an offer of several millions of dollars to sustain the sinking cause of the empire; and Miramon, but lately returned from Europe, and distrusted by all for his treacherous and vindictive disposition, placed at the disposal of Maximilian his enterprise and undoubted military talents. Such arguments were scarcely to be withstood, and it was therefore without much surprise that the public learned, through the official government organ, that Maximilian, in obedience to the almost unanimous request of the council of deliberation, had consented to retain his power, and return soon to the capital. Simultaneous with this announcement the following proclamation was promulgated in Mexico on December 5th:

ORIZABA, December 1, 1866.

MEXICANS: Circumstances of great magnitude relating to the welfare of our country, and which increase in strength by our domestic difficulties, have produced in our mind the conviction that we ought to reconsider the power confided to us. Our council

of ministers by us convened has given, as their opinion, that the welfare of Mexico still requires our presence at the head of affairs; and we have considered it our duty to accede to their request, announcing, at the same time, our intention to convoke a national congress on the most ample and liberal basis, where all political parties can participate; and this congress shall decide whether the empire shall continue in future; and, in case of assent, shall assist in framing the fundamental laws to consolidate the public institutions of the country. To obtain this result our counsellors are at present engaged in devising the necessary means, and at the same time arrange matters in such a manner that all parties may assist in an arrangement on that basis.

In the mean time, Mexicans, counting upon you all, without excluding any political class, we shall continue the work of regeneration with courage and constancy, having been placed in charge of your countrymen.

(Signed)

MAXIMILIAN.

While Maximilian was lingering at Orizaba in the half-way house between abdication of his throne and a renewed effort to save it, the public mind was considerably excited in the United States by apprehensions that Napoleon would prove faithless to his stipulation to remove his troops from Mexico in three detachments. On November 1st Mr. Bigelow was informed by the French Minister of Foreign Affairs that it was the emperor's intention to withdraw the whole expeditionary force in the spring of 1867, but no portion of it before that time. For this change of plan considerations of a purely military character were assigned. Mr. Bigelow immediately obtained an interview with the emperor, and requested to know what could be done to prevent the discontent which would be felt in the United States should this intelligence be received there without explanation. The following is the substance of Napoleon's reply as communicated by Mr. Bigelow to Mr. Seward:

The emperor said that it was true that he had concluded to postpone the recall of any of his troops until spring, but that in doing so he had been influenced by entirely military considerations. At the time he gave the order the successors of the dissidents, supported as they were by large reinforcements from the United States, seemed to render any reduction of his force then perilous to those who remained behind. He accordingly sent a telegram to Marshal Bazaine, who had already embarked a regiment (the Eighty-first, I think he said), but which had fortunately been prevented from sailing by unfavorable winds, directing him to embark no troops until all were ready to come. This dispatch, his majesty said, was not sent in cipher, that no secret might be made of its tenor in the United States. The troops were then disembarked and returned to Orizaba. His majesty went on to say that he sent General Castelnau to Mexico about the same time, charged to inform Maximilian that France could not give him another cent of money nor another man. If he thought he could sustain himself there alone, France would not withdraw her troops faster than had been stipulated for by M. Druyn de Lbuys, should such be his desire; but if, on the other hand, he was disposed to abdicate, which was the course his majesty counselled him to take, General Castelnau was charged to find some government with which to treat for the protection of French interests, and to bring all the army home in the spring.

On November 23d Mr. Seward telegraphed



to Mr. Bigelow that the United States Government was "surprised and affected with deep concern by the announcement now made for the first time that the promised recall of one detachment of the French troops has been postponed by the emperor," and directed him to inform the French Government "that the President sincerely hopes and expects that the evacuation of Mexico will be carried into effect with such conformity to the existing agreement as the inopportune complication which calls for this dispatch will allow." In reply to this dispatch, Mr. Bigelow sent the following message to Mr. Seward:

In answer to a verbal communication, the Minister of Foreign Affairs, M. Moustier, writes me to-day that France has not changed her resolution, but that upon military considerations she has deemed it expedient to substitute one comprehensive evacuation for an evacuation in separate parts. All of our troops will leave Mexico in the month of March.

Although this communication did not wholly remove distrust in the United States, it was admitted that the emperor's military reasons were sound. Such by this time had become the strength and spirit of the Republicans that the French troops were barely able to maintain their present position. Hence, if one-third of them should be withdrawn in November, the remaining two-thirds would be exposed to attacks which they could not withstand, and the withdrawal of the second detachment would simply surrender the third to destruction.

In the autumn of 1866 the United States Government made preparations to send to Mexico a special mission "accredited to the Republican Government of which Mr. Juarez is President," thus officially recognizing him President of Mexico as against the pretensions of General Ortega to that office. The claims of the latter to the presidency of Mexico have been alluded to in previous volumes of this work. After his protest against the decree of November 9th, 1865, by which Juarez determined to retain the presidency until a successor could be elected, Ortega remained for several months in the United States, and there is reason to believe that he was busily occupied during the spring and summer of 1866 in forming a powerful party in Mexico to sustain his cause. As the Imperialists were gradually driven southward, this party increased in strength, until it seemed to its leader that the moment had arrived to go in person to Mexico and put himself at its head. On October 26th he arrived in New Orleans from the North with several of his adherents, and publicly announced that he was on the eve of departure for Matamoras (the commanding officer of which, Canales, was known to be of his party), for the purpose of reëstablishing a constitutional government in Mexico. Before leaving New Orleans, he was officially served with a copy of the following communication from Major-General Sheridan, commanding the military division of the Gulf, addressed to his subordinate, General Sedgwick, at Brownsville, on the Rio Grande:

HEADQUARTERS, DEPARTMENT OF THE GULF, }  
NEW ORLEANS, LA., October 23, 1866. }

To Brevet Brig.-Gen. T. L. Sedgwick, commanding  
Sub-District of Rio Grande, Brownsville, Texas:

GENERAL,—I am satisfied that there is only one way in which the state of affairs on the Rio Grande can be bettered, and that is by giving the heartiest support to the only government in Mexico recognized by our own—the only one which is really friendly to us. You will, therefore, warn all adherents of any party or pretended government in Mexico or State of Tamaulipas that they will not be permitted to violate the neutrality laws between the liberal government of Mexico and the United States; and also, that they will not be allowed to remain in our territory and receive the protection of our flag in order to complete their machinations for the violation of our neutrality laws. These instructions will be enforced against the adherents of the imperial buccaneers representing the so-called imperial government of Mexico, and also against the Ortega, Santa Anna, and other factions. President Juarez is the acknowledged head of the liberal government of Mexico.

I am, general, very respectfully, your obedient servant,

P. H. SHERIDAN, Major-General commanding.

In a communication to General Sheridan under date of October 29th, he expressed surprise at the terms in which he had been described by the former, and refused to admit that they could apply to himself. "I deny," he said, "that I have created or represent a faction. I am the true and only representative of the constitutional law of Mexico, to which nation belongs the right to decide its internal questions." Undeterred by the warning embodied in General Sheridan's letter, he departed with his suite on the 30th for the Rio Grande, and upon his arrival at Brazos Santiago, on November 3d, was immediately arrested by Captain Paulson, the United States commander of the post, in obedience to a special order from General Sheridan.

Ortega sent a long protest against his arrest to Captain Paulson. He was allowed to remain at large at Brazos Santiago, his movement being strictly watched, and was also informed that he could return to New Orleans, whenever he desired. In his dispatch to General Grant, informing him of what had been done, General Sheridan observed: "My letter to General Sedgwick and the arrest were opportune, as Canales in Matamoras, and Negrete and his adherents in Brownsville, were just awaiting his arrival to assert his claims by an appeal to arms. He has no adherents in Mexico excepting French and English merchants, who heretofore supported Maximilian. There is no trouble in all Northern Mexico except in Matamoras and Tampico, and these merchants are at the bottom of it." In the following dispatch to the War Department, General Sheridan sums up the whole matter in a few words:

HEADQUARTERS, DEPARTMENT OF THE GULF, }  
November 30, 1866. }

On or about the 24th day of June, 1866, the city of Matamoras was surrendered by the Imperialists to the forces of the Liberal Government of Mexico, and soon thereafter the city of Monterey, and all of Eastern and Northern Mexico. In process of time the Imperial forces were driven to the valley of Mexico, and in a line connecting Mexico and Vera Cruz, and it



became reasonable to suppose that the Imperial Government would be driven out of the country. The acknowledged head of the Liberal Government of Mexico during all these important events was President Juarez, and it is well known that General Ortega fled his country and took no part in bringing about these events; but, on the contrary, he, while in a foreign country, did as much as he could to counteract them, by creating political divisions, and by the publication of real or pretended rights as constitutional President of Mexico. So far as this went, it did not interfere with my command, and there was no violation of our neutrality laws. But this did not satisfy General Ortega or his schemers, but an appeal to arms must be made to enforce his claims, and combinations were formed in New York and Brownsville, within the United States, for an armed assertion of his claims at the expense of a violation of our neutrality laws. To counteract these machinations, and to prevent our neutrality laws from being violated, my letter of October 23d to General Sedgwick was written, and a copy of it placed in the hands of General Ortega in the city of New Orleans. Not heeding this, but under the belief that we gave directions in our country for 'buncombe,' General Ortega was about to cross the line of our frontier, and was arrested on the same principle that the Fenians were arrested in attempting to violate our laws by the invasion of Canada. Since the termination of the rebellion, the people of the United States have suffered in trade, from the disturbed condition of affairs on the Rio Grande line, about \$12,000,000 yearly. First, by Imperialism; then, by the hostility of foreign merchants in Matamoras, who set up such men as Canales and Ortega, supporting them and reimbursing themselves by passing goods out from the city free or nearly free of duty.

P. H. SHERIDAN, Major-General.

On the 6th of December General Sheridan issued an order releasing Ortega and his suite from arrest. The latter made no further effort to violate the neutrality laws, but contented himself with issuing another protest, addressed to the people of the United States, and also a proclamation to the Mexicans, in which his constitutional rights were vindicated at great length.

The military situation, as we last left it, may be described in a few words. The Imperialists had succeeded in holding all the central strategic points in the country, but their position very closely resembled that of a besieged fortress, a part of whose outworks is in the hands of the enemy. The apparent inertness of the French no longer excited surprise, in view of the stipulations of Napoleon for the withdrawal of the expeditionary corps; but as the year wore on it became evident that, without the assistance of these powerful auxiliaries, Maximilian's ill-constructed empire must succumb to the dangers that menaced it. As Bazaine continued to retire his forces toward the capital, but feeble efforts were made by the Imperial generals to retain the positions evacuated by him. It must not be supposed, however, that all was harmony in the Republican ranks. Juarez undoubtedly possessed the sympathy and support of a large majority of the Liberal party; but the adherents of Ortega, as previously intimated, were powerful in certain quarters of the north, and their opposition seriously retarded in several instances the movements of the Republican armies. At Mat-

amoras this was particularly noticeable. Upon the surrender of the town to the Liberals by Mejia, Carvajal was appointed Governor of Tamaulipas; but having made himself odious by his extortions and mercenary contracts, he was displaced, and Canales was nominated by the army to succeed him. Meanwhile Juarez, ignorant of this *pronunciamento* in favor of Canales, had appointed General Tapia to succeed Carvajal. Canales refused to surrender the command to the new-comer, and, shutting himself up in Matamoras with a considerable force, well supplied with munitions of war, and protected by fortifications, bade him defiance. Such acts have been of so frequent occurrence in Mexico, that it would have been unnecessary to allude to this, but for certain circumstances attending the issue of the quarrel, which might have endangered our relations with France, and caused the order for the evacuation of Mexico by the French troops to be countermanded. Throughout October the town was besieged by Cortinas, who, on November 1st, was joined by Tapia. The latter, after vain attempts to bring about a peaceful settlement with Canales, who was now well known to be a favorer of the pretensions of Ortega, died suddenly of cholera on the 9th; but the investment continued, and toward the close of the month Escobedo arrived from Monterey, to take command of the besieging army. On the 24th Canales sent a message to General Sedgwick, at Brownsville, expressing the desire to surrender the city to the United States forces, on the ground that he could not control his men, who had been for some time without pay. General Sedgwick responded by sending a detachment of troops across the river, who took possession of the town, which was formally given up to him by Canales. But as the latter had stipulated that his men should not be removed from the fortifications, and that no other forces than those of the United States should enter the town, his position was rather improved than otherwise, as he had now full opportunity to repel the threatened attack of Escobedo, without the need of protecting his rear. Early on the morning of the 27th Escobedo delivered his attack, but after several hours' hard fighting, was repulsed at all points, with a loss of seven hundred men, who could ill be spared from his small army. The American flag continued to float over Matamoras, supported by a garrison of fifty men, until the 30th, when General Sedgwick, anxious to repair the blunder he had committed, demanded the surrender of the place, intending to turn it over, with its garrison, to Escobedo. This Canales declined to do, but surrendered to Escobedo in person, whereupon the United States troops were withdrawn to the Texas side of the river, and on December 1st Escobedo took possession of the town.

On December 6th General Sheridan arrived at Brownsville, called thither by the recent grave events, and promptly ordered General



Sedgwick to be relieved of his command, besides disclaiming his acts. In his account of the affair, sent to General Grant, he intimated that Sedgwick had been improperly influenced by the merchants of Matamoras, consisting principally of Imperialists, and men who had been blockade runners during the American rebellion, who were fearful, in case Escobedo should prevail, that they would never be paid for the supplies that they had furnished Canales to resist the legitimate authority of the Republic. The news of General Sedgwick's occupation of Matamoras was received with no little dissatisfaction in the United States, not so much because he had appeared to support Canales as against Escobedo, as because he had ventured in any respect to interfere on either side. The public were looking forward with some anxiety to the departure of the first detachment of French troops from Mexico, and it was apprehended that this unquestionable violation of the neutrality which had been stipulated for by Napoleon during the evacuation of the country, would be seized upon as a pretext for retaining the expeditionary force there another year, and possibly of increasing it. The prompt repudiation of the act, however, by the United States Government seems to have satisfied Napoleon that General Sedgwick's interference was undertaken on his own responsibility, and the suspension of friendly relations between the two nations, feared by some, was happily averted.

From about the beginning of October the military operations of the Republican leaders were pressed with great activity. At this time all the Northern States were practically free of Imperialists, and before the middle of the month a force of 4,000 men had marched from Monterey to operate against San Luis Potosi, while another column went in the direction of Durango to coöperate there with a large force from Zacatecas. On the 24th Mazatlan finally fell into the hands of Corona. The French, reduced in numbers to less than 30,000 men, dared not separate their forces into detached bodies for offensive purposes, but, intent on leaving at as early a day and in as great strength as possible, moved gradually toward the capital in a compact body. Their places were supplied by the native and foreign troops in the imperial service, whom the Republicans held in far less respect, and against whom they had no hesitation in boldly taking the offensive. Mejia was, indeed, reported to be about to make a counter movement against Matamoras, but in reality he had enough to do at San Luis Potosi to resist the advancing tide of Republicanism. On November 14th, Durango, the capital of the State of that name, was occupied by General Azunda with 4,000 men, and on the 27th Zacatecas was evacuated by the Imperialists. By the middle of December Escobedo was on the march to San Luis Potosi; but before he could arrive at that important place, it was occupied on December 25th by General Aguirre of Trevenio's

command, the Imperialists under Mejia retreating to Queretaro. About the same time Guadalupe was occupied by a detachment of Republicans under Parra, and finally, on the 27th, Juarez, who had remained quietly at Chihuahua for several months, entered the city of Durango amidst the roar of cannon, the ringing of bells, and great rejoicing of the people, who assembled to the number of many thousands to greet him. With characteristic energy he immediately prepared to send off additional troops to join the columns already on the march toward the City of Mexico, after which it was supposed he would join the army concentrating at San Luis Potosi and establish there temporarily the Republican seat of government.

Turning to the South we shall find the success of the Republican arms scarcely less uniform and signal than in the Northern States. The indecision of Maximilian gave additional moral strength to his opponents, who were wise enough to know the moment when to strike with effect. As usual Diaz was the most active of the Republican leaders, and his movements in the State of Oajaca kept the Imperialists in constant alarm. After several successes in the open field he captured the city of Oajaca in the latter part of October. On the 11th of the succeeding month Jalapa surrendered to General Alatorre, and soon after Alvarez repossessed himself of the important port of Acapulco, from which more than a year previous he had been driven by a French force, and which he had in turn besieged for several months. Riva Palacios, Regules, and other partisan chiefs pressed toward the capital from the direction of Michoacan and Jalisco, and the noted guerilla Figueroa made frequent dashes along the route between Vera Cruz and the capital.

Maximilian lingered at Orizaba for several days subsequent to the breaking up of the council of deliberation and the issuing of his proclamation of December 1st, and was reported to be actively employed in organizing for a last attempt to maintain the empire. In the middle of the month the Minister of Foreign Affairs issued from the capital an address, in the name of his imperial master, which was intended as a sort of apology for the present unfortunate crisis, and an admonition to the conservatives to stand by the emperor. It recited the arrival of Maximilian in Mexico and his labors for the restoration of order, and announced the speedy withdrawal of the French, the recommencement of civil war, and the dangerous condition of the country. The emperor, it added, had charged his ministry with the duty of convening a national congress without any delay, and the Council of State was then engaged in preparing a basis upon which this sovereign council would be called together. On the 14th of December Maximilian left Orizaba, but proceeded no further than Atlasco, in the neighborhood of Puebla, where he still remained at the close of the



year, though daily expected to depart for the capital. At that time it was reported that, as the situation of affairs did not permit the assembling of a national congress, in accordance with the announcement of the emperor at Orizaba, he would convoke a meeting of the notables. While at Atlasco Maximilian was visited by General Castelnau, the special envoy dispatched to Mexico by Napoleon, and the French minister at the capital. At this interview, it is said, the emperor was offered the alternative of abdicating, or of satisfying the demands of France for the payment of the expenses incurred by the intervention. Maximilian, on the same authority, declined to accept either alternative, announcing that he was determined to maintain his position.

The reorganization of the Imperial army, rendered necessary by the approaching departure of the expeditionary corps, naturally occupied much of the emperor's attention, and he went through the idle ceremony of dividing the country into three great military districts, to be occupied by as many *corps d'armée*, commanded respectively by Miramon, Marquez, and Mejia. During this time Marshal Bazaine was concentrating his troops on the line between Mexico and Vera Cruz, with a view of embarking them at the latter place in the spring. In a circular, issued in the latter half of December, he announced that it was the intention of the French Government to have returned to France, not only the Foreign Legion, but all soldiers of French nationality who were formerly authorized to enrol themselves into the service of the Mexican Government, and who were actually serving in the general army corps of the Mexican army. But any of these soldiers desiring to remain in the service of Mexico, were authorized to do so, and to adhere to the corps to which they belonged. Another order stated that in future all the Austrian, Belgian and Mexican troops would be turned over to General Marquez, to be disposed of by him as he should deem proper, as general-in-chief of the forces operating in the east. This was promptly done, and Marquez proceeded forthwith to organize his forces for active operations. All the materials of war, which were in the possession of the French, appertaining to the Imperial Government, were also turned over to the Mexican Imperial Government. Long before the arrival of the emperor at the capital his three generals, who were all able men, and knew the difficult task assigned to them, had started for their posts. Miramon marched toward Queretaro, Mejia toward San Luis Potosi, and Marquez planted himself at Toluca, forty miles west of the capital, to stay the advancing army of Republicans under Riva Palacios. Here we may close the narrative of the military events of the year 1866, which, opening with the Republic in so crushed and mutilated a condition as to be scarcely recognizable, closed upon her triumphant in every quarter, and controlling five-sixths of the

country. It is no exaggeration to say that, on January 1, 1867, the whole of Mexico, with the exception of the cities of Mexico, Puebla, Queretaro, and Vera Cruz, was practically in the hands of the Republicans.

The advance of the country in material prosperity and internal improvements in a year so pregnant with disorder was necessarily slight. Five railroads are announced to be in progress, but on only one of them—that between Mexico and Vera Cruz—has work been prosecuted with any degree of vigor. On April 26th the cornerstone of an iron bridge, spanning the ravine of Metlac, near Orizaba, and which is destined to be one of the most remarkable structures of its class in the world, was laid; and on August 1st sixteen miles of the road east from Mexico were formally opened to travel. Disastrous floods and a want of funds and promised government subsidies, subsequently almost suspended work on this line, which is only finished in detached parts. The various schemes for promoting emigration to Mexico seem likewise to have failed. In December the colony of American Confederate exiles, near Cordova, after suffering various privations and guerilla attacks, was reported to have been practically broken up; and an enterprise for importing Asiatic coolies, authorized by Maximilian in December, 1865, seems never to have been even commenced.

The mission of Mr. Campbell to Mexico, alluded to heretofore, may be very briefly related. This minister was sent, accompanied by Lieutenant-General Sherman, in order, to use the language of Mr. Seward, "to confer with President Juarez on subjects which are deeply interesting to the United States, and of vital importance to Mexico." He was authorized to tender the moral support and sympathy of the United States to Juarez, under the belief that Maximilian would soon retire, and that Juarez would require such support and sympathy in bringing order out of chaos; also to offer the military forces of the United States to Juarez, if necessary, to aid him in the "restoration of law," provided they were offered and accepted in such a manner as not to interfere "with the jurisdiction of Mexico," or violate "the laws of neutrality." The two plenipotentiaries left New York in the steam frigate *Susquehanna*, on November 11th, and on the 27th arrived off Vera Cruz, whence, however, they sailed in a few days without having disembarked. On leaving Vera Cruz the *Susquehanna* at once proceeded to Tampico, where accredited emissaries of Juarez awaited the ambassadors of the United States. After a brief consultation they went to Matamoros, where another short council was held with the confederate agents of Juarez, the result of which was that a definite and joint plan of action was determined on between the United States and the Republic of Mexico. General Sherman soon after returned to the United States, while Mr. Campbell prepared to depart with Escobedo's forces toward the seat of the Mexican Republic, and confer with Juarez.



MICHIGAN. The receipts into the State treasury during the fiscal year, ending November 30, 1866, were \$2,379,389.98. Expenditures, \$1,791,385.18; leaving balance in the treasury of \$579,004.80, which was \$111,605.51 in excess of that at the commencement of the year. The total funded and fundable debt amounts to \$3,979,921.25, an increase during the year of less than the increase of cash in the treasury, notwithstanding the heavy expenditures for bounties and other war purposes. The increase of the State debt during the war was about \$1,000,000 only. The demands of the State against the national Government for military expenditures are still unsettled, but the settlement is being vigorously urged by the State authorities. The Auditor-General estimates that in future the receipts on account of the educational funds, and the tax derived from the sinking fund (three-sixteenths of a mill on the taxable property), will be sufficient to pay the various items of indebtedness as they fall due. All the educational funds are received by the State as trustee, and the interest applied annually to the purposes to which the funds are devoted. The amount of each of the funds, including sums due from purchasers on land contracts, is now as follows:

University fund.....	\$539,270 62
Normal School fund.....	65,996 69
Primary School fund.....	2,175,025 42

The taxes levied on property for all purposes during the year were \$581,922.97, on an assessed valuation of about \$308,000,000. Specific taxes were collected as follows, besides those paid by mining companies in the counties: from railroad companies, \$160,667.14; from banks, \$900; from insurance companies, \$40,039.74. Only one bank is now in operation under the State laws, and this issues no bills. The tolls collected at the Saut Ste. Marie Canal were \$23,069.54. The official estimates for the ensuing fiscal year are: receipts, \$1,622,127.77; expenditures, including \$511,379.85 on account of State indebtedness, \$1,031,133.60.

The Republican State Convention met at Detroit, August 30th, and, besides resolutions complimentary to the soldiers of the Union, the State administration, and the State delegation in Congress, adopted the following:

*Resolved*, That, defeated in the field, the enemy has renewed the struggle through the ballot-box, and by political machinations aims at the governance of that which it failed to destroy. In this crisis, it behooves us to stand together as firmly as in the suppression of the rebellion, and relying upon those who, in the peril of the Republic, proved themselves worthy of our trust, go straight onward with the loyal masses of the country, confident that the same wisdom, energy, and fidelity, that sufficed to save us from our armed foes, will protect us against the stratagems of our political opponents, and that through the triumph of our principles, the Union of our fathers, newly cemented by the blood of their children, will be firmly established on the enduring foundation of justice and liberty.

*Resolved*, That, by their acts of treason and rebellion, and by their erection of governments in hostility to the United States, the rebel communities dis-

rupted their civil society, abrogated their political institutions, and left their States without governments known to the Constitution, or recognized by the Government of the United States; that to Congress alone belongs the imperative duty of declaring when any such State is properly reorganized, and any government therein is legitimately constituted, so as to resume its former political relations with the National Government, and of deciding when Senators and Representatives from any such State are entitled to admission; that in the determination of such questions it is the right, as the duty of Congress to guard against future danger to the peace and stability of the Republic, and such State ought to be recognized as fit to enjoy the privileges belonging to any State in this Union, only when the people thereof shall have by their conduct given clear and satisfactory proof that they loyally accept the situation, and have evinced an honest disposition to abide by the results of the conflict, not only as involved in their physical defeat, but in the triumph of the great principles which have been maintained and settled by the war.

*Resolved*, That, in the rehabilitation of the rebel communities, it is the first and highest duty of the Government to look to and provide for the protection of those who under persecution and oppression remained loyal to the United States, and that as one result of the struggle has been the emancipation of millions of human beings, who are in a great degree incapable of self-protection in the midst of a hostile element, no scheme of restoration ought to be approved which leaves them naked to their rebel enemies; since, as citizens of the United States, they are entitled to its protection in securing equality before the law in the maintenance of life, liberty, and property, the common and inalienable rights of mankind.

*Resolved*, That we approve the constitutional amendment lately proposed by Congress for the acceptance of the States. The change in basis of representation is imperatively demanded by the altered condition of the people of the nation; and the exclusion from office of leading rebels and actual perjured traitors, is not only a measure of justice and security eminently proper, but of unexampled mercy, as the mildest and most generous terms of amnesty and oblivion ever offered to a rebellious enemy.

*Resolved*, That, while it is the duty of the United States to cause existing neutrality laws to be respected, yet it is not required that those laws shall be so framed as to render special benefits to other nations, which are not accorded to us by them, and especially are we not bound to be particularly regardful of the interests of those nations that during our late civil struggle manifested an unfriendly spirit towards us, and an undue bias in favor of our enemies; and we, therefore, ask the Congress of the United States to review those statutes, and cause them to conform to the strict rule of justice and fair neutrality.

*Resolved*, That we most heartily sympathize with the movement of the laboring men of our country to shorten the hours of toil, and we believe that legislation for the accomplishment of this object will aid to improve the condition of the working classes, and be in no wise detrimental to the interests of the country or to capital.

*Resolved*, That we regard the conditions embraced in the Congressional plan of reconstruction as fundamental, and indispensable to the future peace of the country, and securing as they do by constitutional amendment the civil rights of all citizens of the United States, the right of life, liberty, and property, everywhere under the flag—the exclusion of such traitors as, while in high places, committed perjury to enact treason—representation in Congress that shall be equal and just to all—the guaranty and security of the national debt—these propositions, one and all,



meet our hearty concurrence, and we pledge unending hostility to any and every plan of reconstruction that will not fully secure these great results of the war.

*Resolved*, That we scout and scorn, as unworthy of freemen, that political blasphemy which says, "This is the white man's Government." It is not the white man's Government, nor the black man's Government. It is God's Government made for man! And all men who are true and loyal to it, of whatever race or country, color, or condition, shall have, under its triumphant and glorious flag, all those great and inalienable rights that belong to man as man!

The convention put in nomination a State ticket, headed by Henry H. Crapo for Governor, and composed in great part of returned soldiers. The Johnson State Convention was held September 5th, and nominated a ticket, headed by General Alpheus S. Williams for Governor, his associates being also nearly all returned soldiers. This convention adopted the following resolutions:

*Resolved*, That the National Union party of Michigan accept the declaration of principles and address of the Philadelphia Convention, of August 14th, as the expression of its views upon the great questions involved in the present political contest.

*Resolved*, That the admission of loyal men into the Congress from all the States is essential to the complete restoration of the Federal Union and the maintenance of the Constitution upon which the Union is founded.

*Resolved*, That in the nominations submitted by this convention, the soldiers of Michigan have the best expression of the high estimation in which we hold the noble defenders of the integrity of the Union.

The Democratic State Convention met on the following day, and adopted this ticket, with a single exception. The convention also adopted the following resolutions, besides one complimentary to the soldiers:

We, the Democratic Convention of the State of Michigan, assembled to make nominations for State officers, and to consider the perils which surround us, believing, as we do, that our country is threatened by an unscrupulous faction in Congress, who propose to hold power at all hazards, and in violation of all law, and who, unless arrested, will precipitate another war upon us, more deadly than the last, and being desirous to unite with every good citizen in this crisis, shoulder to shoulder, without regard to antecedents, for our preservation, if not existence; we, therefore, in the language of the National Union Convention, composed of the loyal men from all sections of our beloved land, held at Philadelphia on August 14th, say:

[Here follows the platform of the convention in Philadelphia (*see UNITED STATES*), which, with the address, was indorsed.]

*Resolved*, That the members of the present convention, in seeking and obtaining seats in that body, were honorably pledged to be content with the liberal compensation provided by their existing laws; that the condition of the people, already borne down by previous taxation, made the observance of this fact an imperative and sacred duty; that the recent act of Congress, by which members voted into their own pockets a double salary, was an act of sordid avarice and cupidity. We hold it up as a reproach to decency, honor, and public virtue, and we cordially invite every pure and just man in this State to aid in driving from their seats those representatives

from Michigan who polluted themselves by this shameful plunder of the public treasury.

*Resolved*, That the Democracy are necessarily the true representatives of the laboring classes, and we view with deep concern the heavy burdens which wasteful and partial legislation, and a vicious system of currency, have imposed upon them; we will steadily aid all measures which will abridge their hours of toil, which will improve their opportunities for intellectual and moral cultivation, which will secure the public lands to the actual settlers, or which will in any way ameliorate and elevate the condition of the laboring masses.

*Resolved*, That in view of the momentous issue now pending, the safety and salvation of the Union by a complete restoration, this convention of the democracy of the State, in making the nominations to-day, has felt it a duty to rise above mere party action. We present to the people of the State a ticket of loyal men and pure patriots, men who, if now elected, will consummate in the councils of the State the great work for which they shed their blood and perilled their lives in the field. And we therefore invite all true, loyal, and patriotic men, whatever their previous party connections, to rally to the support of the "National Union ticket" now presented to them.

The general election was held on the first Tuesday in November. Whole number of votes cast for Governor, 164,454; for Crapo, Republican, 96,746; for Williams, 67,708. Republican majority, 29,038. The majority for the other Republican nominees was somewhat larger. At the same time was submitted to the people an amendment to the constitution, allowing soldiers, when in the service away from their places of residence, to vote, which was carried by 86,354 votes against 13,094. The proposition to call a State convention for revision of the constitution was also adopted by 79,505 votes against 28,623.

The vote above given is exclusive of two wards in the city of Detroit, rejected for alleged irregularities, and which, if counted, would have increased the majority for Crapo 456.

The Legislature, chosen at the same time, was divided between the two parties as follows:

	Senate.	House.	Joint Ballot.
Republicans .....	30	83	113
Democrats .....	2	17	19

In a case brought to test the right of persons of mixed white and African blood to vote under the clause of the constitution conferring the elective franchise on "white" male citizens, the Supreme Court held that negroes, mulattoes, and quadroons, were excluded, but that persons of less than one-fourth African blood were entitled to vote as white persons.

The sessions of the Legislature are biennial, unless extra sessions are called by the governor, and none was held during the year.

The statistics of the State prison show a large increase of prisoners during the year. The number of convicts at the commencement of the fiscal year—December 1, 1865—was 315, which had increased to 502 at its close—or 59 per cent. The number, however, is still considerably below that of 1861, when at one time it reached 630. Capital punishment, except for



treason, was abolished in Michigan twenty years ago, and repeated efforts to restore it since have proved ineffectual. Solitary imprisonment for life is the punishment substituted in case of murder in the first degree. In 1849, under the impression that solitary confinement superinduced insanity, authority was given to the State prison inspectors, in their discretion, to employ this class of convicts with the others, and this has been done to a considerable extent. In their report for the current year the inspectors say that, "so far as we can learn, there is nothing in the history of prisoners in this institution to sustain the opinion that solitary confinement superinduces insanity. There is no case on record where a prisoner first developed insanity while in solitary confinement here." The labor of convicts in the State prison is let by contract to the highest bidder, but the amount thus realized falls far short of the current expenses. The expenditures for 1866 were \$105,919.19, while the receipts for convict labor were only \$33,651.23. The contracts, however, were let during the war at low rates, varying from 28 to 50 cents per day, which are expected to be greatly increased for the next year. Only three prisoners were pardoned by the Governor. In his annual message he discusses the pardoning power at some length, and says that he is "clearly of the opinion that the executive has no right to annul or make void, by an exercise of the pardoning power, the acts and decisions of the judicial tribunals, in the trial, conviction, and sentence of any person, unless in one of two events: 1. The discovery of such new facts as would, if proved upon the trial, have established the innocence of the accused; or, 2. Such as would have mitigated the offence as proved, and thereby entitled him to a less penalty than that which has been adjudged." These views have been sharply criticised in the public prints by a writer, understood to be an ex-governor of the State, who considers them as excluding all idea of pardon in the proper sense of the term, and as conceding to the convict only that strict justice which he may demand as a right.

The State Reform School reports an increase of inmates during the year from 217 to 259. Under the law none are sent to this institution who are over sixteen years of age, and the average age of those received is thirteen and a quarter. They have hitherto for the most part been employed in chair and hat making, but the institution has now a farm of one hundred and thirty-four acres, upon which considerable labor has been expended by inmates during the year. The Reform School is what its name imports, and an earnest effort is made to instruct and save the younger class of offenders against the laws, a large proportion of whom are orphans, many of them made such by the war. A great loss was sustained toward the close of the year in the death of Cephas B. Robinson, superintendent.

The school system of Michigan is justly the pride of the State, it being essentially a free system, under which any child may obtain an education as complete as can be obtained elsewhere in the country. The common schools are free. Every town of importance has its graded union school, in which boys can be prepared for the university at a very small expense, and the normal school at Ypsilanti is turning out every year a large number of teachers well drilled in the theory of their profession.

The number of children in the State between the ages of five and twenty is 321,311. Increase within the year, 22,704—a larger increase than ever in one year before. The number attending the common schools, 246,957—an increase over 1865 of 18,328. Value of school-houses, \$2,854,990; increase, \$499,008; teachers, male, 1,687; female, 7,495; expenditures for schools, \$1,587,104.12; students at the normal school, 595; at the agricultural college, 108. The attendance at the university and the degrees conferred were as follows:

	Attendance.	Degrees conf'd.
Department of literature, science, and arts.....	353	67
Department of medicine.....	467	74
Department of law.....	385	108
Total .....	1,205	249

No preparatory school is connected with the university—the union schools of the State supplying that want—and the standard for admission is as high as that for any other institution in the country. The students for the year represented twenty-two states and all the Canadian provinces.

Besides the institutions above mentioned, there are denominational colleges at Hillsdale, Kalamazoo, Albion, Adrian and Olivet, in which males and females are educated together. The attendance in these was as follows: Hillsdale, 609; Kalamazoo, 217; Albion, 292; Adrian, 369; Olivet, 346. The great majority of pupils in each of these institutions is in the preparatory department.

In the State Asylum for the Insane at Kalamazoo, 298 patients were treated during the year, of whom 43 were discharged fully recovered and 19 with marked improvement; 32 died, and 32 left without improvement. The whole number treated since the asylum was opened is 607, of whom 273 were males, 334 females, 301 married, 263 unmarried, and 43 widows or widowers. Of these, 178 recovered, 76 were improved, 102 unimproved, 79 died, and 172 remain in the asylum. This institution, as well as the Asylum for the Deaf, Dumb, and Blind, at Flint, is filled to its utmost capacity, and considerable assistance is asked from the State to increase the buildings for both.

The wheat crop, especially in the two southern tiers of counties, was considerably less than usual, and a portion of it was gathered in bad condition. The total crop of the State did not probably exceed 12,000,000, or three-fourths a full



crop. The quality of Michigan wheat is superior, but the tendency of late years has been to increase the relative production of the Mediterranean, as more profitable than the white varieties. Almost all the wheat raised in the State is winter wheat. Very little remained in the hands of producers at the end of the year, beyond what the neighborhood wants demanded; the high prices having had the effect of bringing nearly the whole surplus into the market. All the spring crops were better than an average, but the means are not at hand for a careful estimate of quantities.

Of wool, the Michigan Central Railroad Company shipped 5,282,000 pounds, against 6,792,000 in 1865. A large number of sheep were sent from Michigan to Iowa and other Western States, but there was probably no decrease in the clip from the preceding year, as old stores were brought out in 1865, while in the following year the low prices induced many producers to withhold from sales. The clip for the year is estimated at 9,750,000 lbs.—an increase of about 2,500,000 since the State census of 1864.

The fruit crop was much below an average. The quantity of apples exported did not probably exceed 225,000 barrels. The production is increasing steadily and rapidly. Very few peaches are now raised, except on the shores of Lake Michigan. A careful estimate places the whole crop of this region, for the year 1865, at 75,000 baskets, of which 60,000 baskets were shipped from St. Joseph at an average price of \$2 per basket at that point. In 1866 the shipment fell to ten thousand baskets at an average price of \$3. In the Grand River Valley the falling off was not so marked as farther south, and a considerable quantity was sold in the interior of the State, of which only vague estimates could be formed. It is estimated that 250,000 bearing peach-trees are now growing along the eastern shore of Lake Michigan, on 1,600 acres of land. Pears, plums, and the common cherries, are grown throughout the State, and the production of grapes upon Lake Michigan and the Detroit River is being rapidly extended.

The lumber trade was very active, and the amount cut largely in excess of that in 1865. In the Saginaw Valley alone, a carefully prepared statement in the *Detroit Advertiser* and *Tribune* estimates the amount manufactured at 340,307,609 feet, besides 63,000 M. shingles and 6,000,000 staves. In the Muskegon Valley the manufacture exceeded 200,000,000 feet, and at Port Huron and vicinity 40,000,000. It would be safe to estimate the increased manufacture for the year at 30 per cent., and the total at 1,125,000,000 feet.

Plaster shipped from Grand Rapids for the year, 27,000 tons. This has heretofore been the point of supply for the larger portion of the State, but the opening of beds at Tawas Bay, is bringing active competition from that quarter.

The amount of salt produced in the Saginaw Valley for the year, was 407,997 barrels, against 530,000 for 1865. Prices ruled low, and many of

the works were allowed to lie idle for a portion of the time. The manufacture is mainly in kettles, but solar evaporation is also made use of to some extent. There are salt wells at Port Austin and St. Clair, which are being worked profitably but not largely, while those at Grand Rapids have been abandoned as unprofitable, and the experiments at Corunna, Lansing, Flint, and other points, did not prove satisfactory.

The production of copper for the year, as reported to the auditor-general, was only a fraction over 4,132 tons; but a number of companies did not report, and the whole production was probably about 7,500 tons. Mining in the Lake Superior region was dull through the year; the high price of labor compared with the returns being the cause. Coal mining in the interior of the State is being extended slowly, principally at Jackson and Corunna. The coal is bituminous, and used mainly for manufacturing purposes.

The statistics of iron mining show: tons of ore produced, 296,872; tons of pig iron, 18,437. These are not complete, and only approximate the true amount. The same causes which affected the production of copper, influenced that of iron also.

The Jackson and Saginaw Railroad Company has, during the year, constructed its road from Jackson to Lansing, thirty-seven miles, and purchased from the Amboy, Lansing and Traverse Bay Railroad Company the road before in operation from Lansing to Owasso. From the point last named the road is now in process of construction to Saginaw. The Grand River Valley Railroad from Jackson to Grand Rapids, and the road from Three Rivers to Kalamazoo, are now well under way, and some work has been done on other lines, especially on that from Grand Rapids to Fort Wayne. The old roads have been prosperous through the year, and the new line from Holley to East Saginaw paid 8 per cent. dividends, besides marking off nearly 9 per cent. upon the capital stock for depreciation, and retaining nearly 8 per cent. more from the gross earnings as a surplus.

The Lac la Belle Ship Canal, connecting the lake named with Lake Superior, was constructed during the year, and the General Government has made an appropriation of 400,000 acres of land for the Portage Lake and Lake Superior Ship Canal, which is now at once to be put under construction.

The year was one of general prosperity to the State, especially to the farming and lumbering interests, and, notwithstanding the increase of crime over the years of the war, general good order prevailed. A shocking exception to this rule occurred in the hanging of a mulatto boy by a mob at Mason, the county seat of Ingham County, for an attempt to murder a family in which he had been employed, and where, as he alleged, he had been refused payment for his labor. An event so extraordinary in this latitude excited general indigna-



tion, especially as the boy was already in jail, and likely to receive due punishment by the regular process of law. Judicial investigation is to be made into it.

As the largest sufferer in proportion to the numbers engaged in the battle of Gettysburg, Michigan has been prompt to furnish her share toward the national monument, and has fully discharged the assessment made upon her for this purpose.

The waters of Michigan abound in most valuable fresh-water fish, the leading varieties being white fish, pickerel, siscowit, trout, bass, herring, and muskallonge. Pickerel and bass, with many smaller varieties, are found in nearly all the little ponds which dot the surface of the State, and a large quantity in the aggregate is caught for home supply by the people living around them. Of late the catch is diminishing, and legislation has been had to prevent entire destruction through fishing with seines. From the waters which bound the State large quantities are taken for the general market. A very careful estimate of the catch for market during the year is as follows:

	Barrels.
Lake Erie.....	400
Detroit River.....	3,300
Lake Huron.....	14,000
Straits and around Mackinaw.....	10,000
Lake Michigan.....	6,000
Lake Superior.....	1,500
Total.....	35,200

Average value \$16 per barrel. Total value \$563,200.

This estimate is confined to that portion of the waters named lying within the State, and it is believed to be reliable.

MIGUEL, DOM MARIA EVARISTO, ex-King of Portugal, born at Lisbon, October 26, 1802; died in Baden, November 14, 1866. He was third son of King John VI., and, upon the invasion of Portugal by the French when quite young, emigrated with the royal family to Brazil. His education being altogether neglected, he soon exhibited signs of the worst character, and upon his return to Portugal in 1821, was unable to read or write. At the instigation of his mother he placed himself at the head of the clerical and absolutist party. On June 2, 1822, he headed an unsuccessful insurrection against his father. He was pardoned, made another insurrectionary attempt in 1822, was again pardoned and even appointed Generalissimo of the Portuguese army. Soon after the assassination of the most intimate counsellor of the king, the Marquis of Soulé, he started a third insurrection April 30, 1824, imprisoned the ministers, and expelled his father, who owed the restoration of his rule only to the vigorous interference of the foreign ambassadors. Dom Miguel, banished together with his mother, by a decree of May 12th, withdrew to Paris, and later to Vienna, when he showed a great admiration of the policy of Metternich. After the death of King John VI., the legiti-

mate heir, Dom Pedro, emperor of Brazil, ceded the throne of Portugal to his daughter, Maria La Gloria, whose hand, together with the title of Regent, he offered to Dom Miguel. The latter accepted, and, after long hesitation, consented to take an oath upon the Constitution. Soon, however, he dismissed the Cortes and combined to get proclaimed king of Portugal by a part of the constituent Cortes. At the same time he repudiated the plan of a marriage with his niece, who was prevented from landing and compelled to repair to England. The partisans of Donna Maria were conquered, and only maintained their power at the Island of Terceira. The brief reign of Dom Miguel was signalized by the grossest abuses, and the army and the finances were in a most deplorable condition. In 1831 the cause of Donna Maria again began to gain ground. The French allied themselves with Donna Maria and captured the entire Portuguese fleet. In 1833 England also declared against Dom Miguel, and General Villafior captured Lisbon, after a protracted struggle near the capital. Dom Miguel, on May 29, 1834, signed the capitulation of Evora. Being forever exiled from the kingdom he went to Genoa, where he issued a protest against the capitulation wrested from him by force. He subsequently repaired to Rome, and afterward took up his abode at Vienna, and subsequently in the Duchy of Baden, where he remained until his death.

MILITARY COMMISSIONS. The chief interest attaching to the subject of Military Commissions during the year, was derived from the decisions of the courts upon the legality of their institution, proceedings, and continuance.

Although it was generally understood that the Supreme Court of the United States had decided, in what were known as the Indiana cases, that the conviction by a military commission in such cases was illegal, still no opinion was delivered at that term of the court. The question, however, came up formally before Justice Nelson in the case of James Egan, and was decided as follows:

NELSON, J. The petition and return to the writ of *habeas corpus* issued in this case present the following facts:

The prisoner is a citizen, and by occupation a farmer, in the Lexington district of the State of South Carolina, some eighty years of age, and never engaged in the military service or connected with the army of the United States, or of the so-called Confederate States; has been arrested and tried before a military commission, in pursuance of orders issued at head-quarters of the District of Western South Carolina, Columbia, upon a charge of murder, convicted, and sentenced for life to the Albany Penitentiary.

The specification in the record of the crime is the killing of a negro boy, by shooting him, on or about the 24th September, 1865. The trial took place on the 20th November, and the sentence pronounced on the 1st of December following.

It will be observed that this trial before the military commission took place some seven months since the termination of hostilities, and the surrender of the rebel army to the authorities of the United States; and, further, that the offence is one which, accord-



ing to our constitutional system of government, is cognizable by the judicial authorities of the State, and not of the Federal Government. And, also, that the trial was not under the rules and articles of war as established by the United States, in Congress assembled, as these are limited to the government of the land or naval forces of the United States, and of the militia when in actual service in time of war or public danger.

The trial must have been had under what is known and denominated "martial law," and the question in the case is, whether or not this conviction and punishment can be upheld by reason of that authority.

All respectable writers and publicists agree in the definition of martial law—that it is neither more nor less than the will of the general who commands the army. It overrides and suppresses all existing laws, civil officers, and civil authorities, by the arbitrary exercise of military power; and every citizen or subject—in other words, the entire population of the country—within the confines of its power, is subjected to the mere will or caprice of the commander. He holds the lives, liberty, and property of all in the palm of his hand.

Martial law is regulated by no known or established system or code of laws, as it is over and above all of them.

The commander is the legislator, judge, and executioner. His order to the provost marshal is the beginning and the end of the trial and condemnation of the accused.

There may be a hearing, or not, at his will. If permitted, it may be before a drum-head court-martial, or the more formal board of a military commission, or both forms may be dispensed with; and the trial and condemnation equally legal, though not equally humane and judicious.

This being the nature and extraordinary character of martial law, which, as observed by Sir Matthew Hale, is not law, but something indulged rather than allowed as law, all the authorities agree that it can be even indulged only in case of necessity; and when the necessity ceases martial law ceases. When a government or country is disorganized by war, and the courts of justice broken up and dispersed, or are disabled, from the prevalence of disorder and anarchy, to exercise their functions, there is an end to all law, and the military power becomes a necessity, which is exercised under the form and according to the practice and usage of martial law.

This necessity must be shown affirmatively by the party assuming to exercise this extraordinary and irregular power over the lives, liberty, and property of the citizen, whenever called in question.

Applying these principles to the case in hand, we think the record fails to show any power on the part of the military officer over the alleged crime therein stated, or jurisdiction of the military commission appointed by him to try the accused. No necessity for the exercise of this anomalous power is shown. For aught that appears, the civil local courts of the State of South Carolina were in the full exercise of their judicial functions at the time of this trial, as restored by the suppression of the rebellion, some seven months previously, and by the revival of the laws and reorganization of the State government in obedience to, and in conformity with, its constitutional duties to the Federal Union.

Indeed, long previous to this a provisional governor had been appointed by the President, who is commander-in-chief of the army and navy of the United States, (and whose will under martial law constituted the only rule of action,) for the special purpose of changing the existing state of things and restoring civil government over the people. In pursuance of this appointment a new constitution had been formed, a Governor and Legislature elected under it, and the State in the full enjoyment, or entitled to the full enjoyment, of all her constitutional rights and privileges.

The Constitution and laws of the Union were thereby acknowledged and obeyed, and were as authoritative and binding over the people of the State as in any other portion of the country. Indeed the moment the rebellion was suppressed, and the government growing out subverted, the ancient possession, authority, and laws resumed their accustomed sway, subject only to the new reorganization or the appointment of the proper officers to give to them operation and effect.

This reorganization and appointment of the public functionaries, which was under the superintendence and direction of the President, as commander-in-chief of the army and navy of the country, who, as such, had previously governed the people of the State from imperative necessity by force of martial law, had already taken place, and the necessity no longer existed.

We have not deemed it necessary, if proper, to look into the merits of the offence charged against the prisoner, although it is insisted that it occurred in self-defence, and in resisting a violent assault upon himself.

Let the prisoner be discharged.

The different commanders in the Southern States issued orders directing that all civilians held for trial by military courts, should be turned over to the custody of the civil tribunals.

The case of the persons charged with conspiracy in Indiana, and who were tried by a military commission, and sentenced to death, having been argued before the Supreme Court in March, but no decision having been rendered at that time, went over to the December term, when the opinions of the court were given. Mr. Justice Davis delivered the opinion of the court:

On May 10, 1865, Lambdin P. Milligan presented a petition to the Circuit Court of the United States for the District of Indiana to be discharged from an alleged unlawful imprisonment. The case made by the petition is this: Milligan is a citizen of the United States; has lived for twenty years in Indiana, and at the time of the grievances complained of was not, and never had been, in the military or naval service of the United States. On October 5, 1864, while at home, he was arrested by order of General Alvin P. Hovey, commanding the military district of Indiana, and has ever since been kept in close confinement.

On October 21, 1864, he was brought before a military commission, convened at Indianapolis by order of General Hovey, tried on certain charges and specifications, found guilty, and sentenced to be hanged, and the sentence ordered to be executed on Friday, May 19, 1865.

On January 2, 1865, after the proceedings of the military commission were at an end, the Circuit Court of the United States for Indiana met at Indianapolis, and empanelled a grand jury, who were charged to inquire whether the laws of the United States had been violated, and if so, to make presentments. The court adjourned to January 27th, having prior thereto discharged from further service the grand jury, who did not find any bill of indictment, or make any presentment against Milligan for any offence whatever, and, in fact, since his imprisonment no bill of indictment has been found or presentment made against him by any grand jury of the United States.

Milligan insists that said military commission had no jurisdiction to try him upon the charges preferred, or upon any charges whatever, because he was a citizen of the United States and the State of Indiana, and had not been, since the commencement of the late rebellion, a resident of any of the States whose citizens were arrayed against the Government, and that



the right of trial by jury was guaranteed to him by the Constitution of the United States.

The prayer of the petition was, that, under the act of Congress, approved March 3, 1863, entitled "An act relating to the *habeas corpus*, and regulating judicial proceedings in certain cases," he may be brought before the court, and either turned over to the proper civil tribunal to be proceeded against according to the law of the land, or discharged from custody altogether.

With the petition were filed the order for the commission, the charges and specifications, the findings of the court, with the order of the War Department, reciting that the sentence was approved by the President of the United States, and directing that it be carried into execution without delay. The petition was presented and filed in open court by the counsel for Milligan; at the same time the District Attorney of the United States for Indiana appeared, and, by the agreement of the counsel, the application was submitted to the court. The opinions of the judges of the Circuit Court were opposed on three questions, which are certified to the Supreme Court:

1. "On the facts stated in said petition and exhibits, ought a writ of *habeas corpus* to be issued?"

2. "On the facts stated in said petition and exhibits, ought the said Lambdin P. Milligan to be discharged from custody, as in said petition prayed?"

3. "Whether, upon the facts stated in said petition and exhibits, the military commission mentioned therein had jurisdiction legally to try and sentence said Milligan, in manner and form as in said petition and exhibits is stated?"

As to these questions, after a thorough examination of the cases and consulting, the court hold that the first two must be answered affirmatively—the third in the negative. Justices Davis, Grier, Nelson, Clifford, and Field, holding that Congress provided against such commissions, rather than in favor of them, by the act of 1863, and that Congress has not the constitutional power to authorize such commissions; that the Constitution is express against them, and it is the supreme law of the land, in times of war as in times of peace.

Mr. Chief Justice Chase read an opinion (in which Justices Wayne, Swayne, and Miller concurred), dissenting from so much of the opinion of the court as held that Congress did not have the constitutional power to authorize military commissions, but concurring as to the answer given to the questions certified up. The dissenting opinion held that in time of war Congress may authorize military commissions to try offences such as charged in the case before the court.

The parties were afterward discharged from imprisonment.

Jefferson Davis, having been captured by the military forces, was kept in custody at Fortress Monroe as a prisoner. Although no definite steps were taken to try him by a military commission, it may not be out of place to state here what proceedings were had in regard to his trial, as he was held during the year as a prisoner by the military authorities, although subject to the orders of the civil courts.

On September 21, 1865, the Senate of the United States called upon the President for information on the subject of the trial. In response to this resolution, reports were submitted from the Secretary of War and Attorney-General.

The following is the report of the Secretary of War on the subject:

WAR DEPARTMENT, January 4, 1866.

SIR: To the annexed Senate resolution, passed December 21, 1865, referred to me by you for report, I have the honor to state:

1. That Jefferson Davis was captured by the United States troops in the State of Georgia, on or about the 10th day of May, 1865, and by order of this Department has been, and now is, confined at Fortress Monroe, to await such action as may be taken by the proper authorities of the United States Government.

2. That he has not been arraigned upon any indictment or formal charge of crime, but has been indicted for the crime of high treason by the grand jury of the District of Columbia, which indictment is now pending in the Supreme Court of said District. He is also charged with the crime of inciting the assassination of Abraham Lincoln, and the murder of Union prisoners of war, and other barbarous and cruel treatment toward them.

3. The President deeming it expedient that Jefferson Davis should be put upon his trial before a competent court and jury for the crime of treason, he was advised by the law officer of the Government that the proper place for such trial was in the State of Virginia. That State is within the judicial circuit assigned to the Chief Justice of the Supreme Court, who has held no court there since the apprehension of Davis, and who declines for an indefinite period to hold any court there.

The matters above stated are, so far as I am informed, the reasons for holding Jefferson Davis in confinement, and why he has not been tried.

The then Attorney-General, James Speed, enters into an argument to show that, although originally captured by the military, Jefferson Davis and other parties alluded to are, after a cessation of hostilities, subject to trial only by the civil courts. The following are his official conclusions:

I have ever thought that trials for high-treason cannot be had before a military tribunal. The civil courts have alone jurisdiction of that crime. The question then arises, Where and when must the trial thereof be held? \* \* \* \* \*

It follows, from what I have said, that I am of opinion that Jefferson Davis and others of the insurgents ought to be tried in some one of the States or districts in which they in person respectively committed the crimes with which they may be charged. \* \* \* \* \*

When the courts are open, and the laws can be peacefully administered and enforced in those States whose people rebelled against the Government—when thus peace shall have come, in fact and in law, the persons now held in military custody as prisoners of war, and who have not been tried and convicted for offences against the laws of war, should be transferred into the custody of the civil authorities of the proper districts, to be tried for such high crimes and misdemeanors as may be alleged against them.

On the 16th of January, 1866, the Senate called upon the President for the correspondence between himself and Chief Justice Chase. On the 2d February the President responded as follows:

EXECUTIVE MANSION, WASHINGTON, D. C., Oct. 2, 1865.

DEAR SIR: It may become necessary that the Government prosecute some high crimes and misdemeanors committed against the United States within the district of Virginia.

Permit me to inquire whether the Circuit Court of the United States for that district is so far organized



and in condition to exercise its functions that yourself, or either of the associate justices of the Supreme Court, will hold a term of the Circuit Court there during the autumn or early winter, for the trial of causes?

Very respectfully,

ANDREW JOHNSON.

Hon. S. P. CHASE, Chief-Justice Supreme Court.

WASHINGTON, Thursday Evening, October 12, 1865.

DEAR SIR: Your letter of the 2d, directed to Cleveland, and forwarded to Sandusky, reached me there night before last. I left for Washington yesterday morning, and am just arrived.

To your inquiry, whether a term of the Circuit Court of the United States for the District of Virginia will be held by myself or one of the associate justices of the Supreme Court during the autumn or early winter, I respectfully reply in the negative.

Under ordinary circumstances, the regular term authorized by Congress would be held on the fourth Monday of November, which, this year, will be the twenty-seventh. Only a week will intervene between that day and the commencement of the annual term of the Supreme Court, when all the judges are required to be in attendance at Washington. The time is too short for the transaction of any very important business. Were this otherwise, I so much doubt the propriety of holding circuit courts of the United States in States which have been declared by the executive and legislative departments of the National Government to be in rebellion, and therefore subjected to martial law, before the complete restoration of their broken relations with the nation, and the superseding of the military by the civil administration, that I am unwilling to hold such courts in any such States within my circuit, which includes Virginia, until Congress shall have had an opportunity to consider and act on the whole subject.

A civil court in a district under martial law can only act by the sanction and under the supervision of the military power; and I cannot think it becomes the justices of the Supreme Court to exercise jurisdiction under such conditions.

In this view, it is proper to say that Mr. Justice Wayne, whose whole circuit is in the rebel States, concurs with me. I have had no opportunity of consulting the other justices, but the Supreme Court has hitherto declined to consider cases brought before it by appeal or writ of error from circuit or district courts in the rebel portion of the country. No very reliable inference, it is true, can be drawn from this action, for circumstances have greatly changed since the court adjourned; but, so far as it goes, it favors the conclusion of myself and Mr. Justice Wayne.

With great respect, yours very truly,

S. P. CHASE.

On the 8th of May the United States Circuit Court for Virginia commenced its session before Judge Underwood. A grand jury was sworn, which presented the following indictment:

*The United States of America, District of Virginia, to wit: In the Circuit Court of the United States of America in and for the District of Virginia, at Norfolk, May Term, 1866.*

The grand jurors of the United States of America in and for the district of Virginia, upon their oaths and affirmations respectively, do present that Jefferson Davis, late of the city of Richmond, in the county of Henrico, in the district of Virginia, aforesaid, yeoman, being an inhabitant of, and residing within, the United States of America, and owing allegiance and fidelity to the said United States of America, not having the fear of God before his eyes, nor weighing the duty of his said allegiance, but being moved and seduced by the instigation of the devil, and wickedly devising, intending the peace and tranquillity of the said United States of America to disturb and the Gov-

ernment of the said United States of America, to subvert, and to stir, move, and incite insurrection, rebellion and war against the said United States of America on the fifteenth day of June, in the year of our Lord one thousand eight hundred and sixty-four, in the city of Richmond, in the county of Henrico, in the district of Virginia aforesaid, and within the jurisdiction of the Circuit Court of the United States for the fourth circuit in and for the district of Virginia aforesaid, with force and arms, unlawfully, falsely, maliciously, and traitorously did compass, imagine, and intend to raise, levy, and carry on war, insurrection, and rebellion against the said United States of America, and in order to fulfil and bring to effect the said traitorous compassings, imaginations and intentions of him, the said Jefferson Davis, afterward, to wit, on the said fifteenth day of June, in the year of our Lord one thousand eight hundred and sixty-four, in the said city of Richmond, in the county of Henrico, and district of Virginia aforesaid, and within the jurisdiction of the Circuit Court of the United States for the fourth circuit in and for the said district of Virginia, with a great multitude of persons whose names to the jurors aforesaid are at present unknown, to the number of five hundred persons and upward, armed and arrayed in a warlike manner, that is to say, with cannon, muskets, pistols, swords, dirks and other warlike weapons, as well offensive as defensive, being then and there unlawfully, maliciously, and traitorously assembled and gathered together, did falsely and traitorously assemble and join themselves together against the said United States of America, and then and there with force and arms did falsely and traitorously, and in a warlike and hostile manner, array and dispose themselves against the said United States of America, and then and there, that is to say, on the said fifteenth day of June, in the year of our Lord one thousand eight hundred and sixty-four, in the said city of Richmond, in the county of Henrico, and district of Virginia aforesaid, and within the jurisdiction of the said Circuit Court of the United States for the fourth circuit in and for the said district of Virginia, in pursuance of such their traitorous intentions and purposes aforesaid, he, the said Jefferson Davis, with the said persons so as aforesaid, traitorously assembled and armed and arrayed in the manner aforesaid, most wickedly, maliciously, and traitorously, did ordain, prepare, levy, and carry on war against the said United States of America, contrary to the duty, allegiance and fidelity of the said Jefferson Davis, against the Constitution, Government, peace and dignity of the said United States of America, and against the form of the statute of the said United States of America in such case made and provided.

This indictment, founded on testimony of James F. Milligan, George P. Scarbury, John Good, Jr., J. Hardy Hendren, and Patrick O'Brien, sworn in open court and sent for by the grand jury.

L. H. CHANDLER,

United States Attorney for the District of Virginia.

On the 5th of June the counsel of Mr. Davis, Messrs. James T. Brady, William B. Reed, and others were present at the opening of the court in Richmond. After the usual preliminaries, William B. Reed, Esq., of Philadelphia, then addressed the court as follows:

May it please your honor, I beg to present myself in conjunction with my colleagues as the counsel of Jefferson Davis, now a prisoner of state at Fortress Monroe, and under indictment in your honor's court for high treason. We find in the records of your honor's court an indictment charging Mr. Davis with this high offence, and it seemed to us due to the cause of justice, due to this tribunal, due to the feeling of one sort or another, which may be described as crystallizing around the unfortunate man, that we should come at the earliest day to this tribunal and



ask of your honor, or, more properly, the gentlemen who represent the United States, the simple question, What is proposed to be done with this indictment? Is it to be tried? This is a question, perhaps, which I have no right to ask. Is it to be withdrawn or is it to be suspended? If it is to be tried, may it please your honor, speaking for my colleagues and for myself, and for the absent client, I say with emphasis, and I say it with earnestness, we come here prepared instantly to try that case, and we shall ask for no delay at your honor's hands further than is necessary to bring the prisoner to face the court and enable him, under the statute in such case made and provided, to examine the bill of indictment against him. Is it to be withdrawn? If so, justice and humanity seem to us to prompt that we should know it. Is it to be suspended or postponed? If so, may it please the court, with all respect to your honor and the gentlemen who conduct the business here, your honor must understand us as entering our most earnest protest. We ask a speedy trial on any charge that may be brought against Mr. Davis, here or in any other civil tribunal in the land. We may be now here representing, may it please the court, a dying man. For thirteen months he has been in prison. The Constitution of the United States guarantees to him not only an impartial trial, which I am sure he will have, but a speedy trial. And we have come no slight distance; we have come in all sincerity; we have come with all respect to your honor. We have come with strong sympathies with our client, professionally and personally; we have come here simply to ask that question. I address it to the district attorney, or I address it to your honor, as may be the more appropriate: What disposition is proposed to be made with the bill of indictment against Jefferson Davis now pending for high treason?

Major J. S. Hennessey, Assistant United States District Attorney, said that he had been entirely unaware of the nature of the application just made, and in the absence of the district attorney, Mr. Chandler, he was not prepared to answer the question, but would immediately telegraph to that gentleman the fact of such application having been made.

Mr. Chandler would probably arrive in Richmond this evening; if he failed to arrive, Major Hennessey stated that he would himself be prepared to answer the question to-morrow morning.

Judge Underwood, addressing the counsel for Mr. Davis, said: I am to understand that will be satisfactory?

Mr. Reed said: Entirely so.

The court then adjourned.

On the assembling of the court the next day, Judge Underwood, addressing the Assistant District Attorney, said: Mr. Hennessey, we are ready to hear from you whenever it suits your convenience.

Mr. Hennessey arose, and the counsel, lawyers, and spectators, all rose and pressed forward to hear his response. He said: May it please your honor: As the answer of the Government to the questions propounded by Mr. Reed on yesterday are considered of some importance, I have written them out, and propose to read them to the court. May it please your honor, yesterday, Mr. Reed, one of the counsel for Jefferson Davis, propounded certain questions to the court and to me, which, in the absence of Mr. Chandler, I at that time declined to answer. Mr. Chandler is still absent, being, I regret to say, entirely prostrated by a recent severe domestic calamity, and, as I promised, I to-day proceed to reply to the questions of the learned gentleman. That gentleman correctly says that an indictment has been found in this court against his client, Mr. Davis, and asks if it is to be tried, if it is to be dropped, or is it to be suspended. So far as I am instructed, I believe it is to be tried, but it will not be possible to do so at present for a variety of reasons, some of which I proceed to give:

In the first place, Mr. Davis, although indicted in

this court for high treason, is not now, and never has been in the custody of this court, but is held by the United States Government as a State prisoner at Fortress Monroe, under the order of the President, signed by the Secretary of War. In the second place, even if Mr. Davis were in the custody of this court, it would not be possible for the Attorney-General, in view of his numerous and pressing engagements at the close of the season, to come here now and try this case, which is a case of great national importance, which he would be expected to do. In the third place, if Mr. Davis is in the delicate state of health suggested by Mr. Reed, it would be nothing less than cruel, at this hot and unhealthy season, to expose him to the unavoidable fatigues of a protracted trial, which appears to be an inevitable result from the array of counsel, present and prospective, engaged for his defence. Neither this court nor any of its officers has any present control over the person of Mr. Davis, and until they have, it becomes impossible for the District Attorney to say when he will be tried; but this I assure the gentlemen who represent him here, that the hour Mr. Davis comes into the custody of this court they shall have full and prompt notice when it is intended to try him, and so far as the District Attorney and his associates are concerned, they may be assured their case will have a just and speedy trial, without further let or hinderance. This I say for the special department of the court which I represent, but what the intentions of the Government are, with regard to the disposition of Mr. Davis, I am no further instructed than I have said.

I now move, may it please your honor, that this court, as soon as the business before it is disposed of, do adjourn until the first Monday of October next. By that time the heat of the summer will have passed away, the weather will be cool and pleasant, and should we have the pleasure of seeing these gentlemen here again, they will be more fitted for the arduous labor which their profession constantly imposes upon them. In the mean time the crystallization process, referred to by the learned gentlemen yesterday, will be going on, and his client will be enjoying the cool breezes of the sea at Fort Monroe, instead of inhaling the heated and fetid atmosphere of a crowded court-room.

James T. Brady, Esq., of New York, one of the counsel for Mr. Davis, then said: If your honor please, I did not expect to say one word this morning in reference to the case of Mr. Davis, but some of the suggestions contained in what my learned friend has just read make it proper for me to state that if Mr. Davis be not technically subject to your honor's jurisdiction, it is only because no copy of this indictment, so far as I am advised, has been served upon him, nor any list of witnesses, nor any act done of those which are required by the statute. It may be true that in this technical sense he cannot now be and never has been amenable to your authority; but my brother counsel, Mr. Reed, stated that Mr. Davis was not claiming the benefit of any of those wants of forms, but that on the contrary he was here to express, from his own lips, speaking through us, his ardent desire for an immediate trial. Although it may be very hot in Richmond, it is infinitely worse where he is, and so far as the convenience of the counsel is concerned, they care nothing for that convenience, impelled as they are by a sense of duty. From my own experience in the city of Richmond, whose hospitality I have enjoyed certainly, I would be happy to remain here either through the heats of summer or the frosts of winter. We can only say that we are entirely ready. We know that we cannot control the action of the District Attorney. We thank him for his polite response to our questions, and of course we leave the question for such action as the Government may think proper to take.

Judge Underwood then said: It only remains for the court to say that the District Attorney has correctly represented the views of the Government upon



this matter. The Chief Justice, who is expected to preside on the trial, has named the first Tuesday in October as the time that will be most convenient for him. The Attorney-General has indicated that it would be utterly impossible for him, under the pressure of his many duties, now greatly increased by troubles on the Northern frontier, on so short a notice, to give that attention to this great question which it demands. Under all circumstances the court is disposed to grant the motion of the said District Attorney, and I think I may say to the counsel that Mr. Davis will in all probability at that time be brought before the court, unless his case shall in the mean time be disposed of by the Government, which is altogether possible. It is within the power of the President of the United States to do what he pleases in these matters, and I presume the counsel for Mr. Davis would probably find it for the interests of their client to make application directly to the Government at Washington, but this court would not feel justified in denying at this time the application both of the Chief Justice and Attorney-General. When the court adjourns, it will adjourn not until the next term, which is in November, but until the first Tuesday in October next, as it is supposed from the array of counsel on both sides that have been named it will be a long term, in which great political and constitutional questions are to be discussed and settled, probably taking two months. It would, undoubtedly, be much more comfortable for the counsel, as well as Mr. Davis himself, to have these months in the fall rather than in the summer, because it is in every way more comfortable in Richmond at that time than in the summer. I think the counsel is mistaken in supposing that Fortress Monroe is not as comfortable a place in the summer as Richmond. When I have been there in the summer I have found the sea breeze very refreshing.

Mr. Brady, to the Judge: But very limited society. [Laughter.]

Judge Underwood, continuing, said: The society is limited. However, the Government is disposed to extend every reasonable privilege, and I am happy to know that the wife of the prisoner is permitted to be with him, and that his friends are permitted to see him.

The motion of the District Attorney is therefore granted. This court will adjourn, not until November, but until the first Tuesday in October, which time is preferred by the Chief Justice and Attorney-General. The case will then, if not before disposed of, be taken up.

An application was made by Messrs. Charles O'Connor and George Shea, of counsel with Mr. Davis, before Judge Underwood, to admit the prisoner to bail. The following decision was rendered on that motion:

I have considered the application made by Mr. Shea, of counsel, to admit Jefferson Davis to bail.

Under the circumstances, the application might have been more properly made to me when recently holding the Circuit Court at Richmond.

But under the law it may doubtless be made also in vacation, and I will briefly state my views of it and my conclusions:

In the States which were lately in active rebellion military jurisdiction is still exercised and martial law enforced.

The civil authorities, State and Federal, have been required or permitted to resume partially their respective functions; but the President, as commander-in-chief, still controls their action so far as he thinks such control necessary to pacification and restoration.

In holding the District and Circuit Courts of Virginia I have uniformly recognized this condition.

Jefferson Davis was arrested under a proclamation of the President, charging him with complicity in

the assassination of the late President Lincoln. He has been held ever since, and is now held, as a military prisoner. He is not, and never has been, in the custody of the Marshal for the District of Virginia, and he is not, therefore, within the power of the court.

While this condition remains, no proposition for bail can be properly entertained, and I do not wish to indicate any probable action under the circumstances.

JOHN C. UNDERWOOD, District Judge.  
ALEXANDRIA, June 11, 1866.

April 10, 1866.—Upon a resolution introduced by Mr. Boutwell, of Massachusetts, the Judiciary Committee of the House of Representatives was instructed by that body to inquire whether there is probable cause to believe in the criminality alleged against Davis and others, and whether any legislation is necessary to bring them to a speedy and impartial trial.

This committee had the case under investigation until they made their report, with the following conclusions:

When the committee entered upon this investigation in April last, the evidence in the War Department, if accepted as true, was conclusive as to the guilt of Jefferson Davis. The Judge Advocate General had taken the affidavits of several persons who professed to have been in the service of the rebel Government, and who had been present at an interview between Surratt, Davis, and Benjamin.

Those affidavits were taken by the Judge Advocate General in good faith, and in the full belief that the affiants were stating that only which was true.

The statements made by those witnesses harmonize in every important particular with facts derived from documents and other trustworthy sources.

The committee, however, thought it wise to see and examine some of the persons whose affidavits had been taken by Judge Holt. Several of the witnesses when brought before the committee retracted entirely the statements which they had made in their affidavits, and declared that their testimony, as given originally, was false in every particular. They failed, however, to state to the committee any inducement or consideration which seemed to the committee a reasonable explanation for the course they had pursued.

And the committee are not at this time able to say, as the result of the investigations they have made, whether the original statements of these witnesses are true or false, but the retraction made by some of them deprives them of all claim to credit, and their statements so far impeached or thrown out, upon the evidence given by other witnesses whose affidavits were taken by Judge Holt, that the committee, in the investigations they have made and in the report, have disregarded entirely the testimony of all those persons whose standing has been so impeached.

The committee are of opinion that it is the duty of the Executive Department of the Government for a reasonable time, and by the proper means, to pursue the investigations for the purpose of ascertaining the truth.

If Davis and his associates are innocent of the great crime of which they were charged in the President's proclamation, it is due to them that a thorough investigation should be made, that they may be relieved from the suspicion that now rests upon them. If, on the other hand, they are guilty, it is due to justice, to the country, and to the memory of him who was the victim of a foul conspiracy, that the originators should suffer the just penalty of the law. The committee are of the opinion that the work of investigation should be further prosecuted; and,



therefore, in conclusion, they recommend the adoption of the following resolutions:

*Resolved*, That there is no defect or insufficiency in the present state of the law to prevent or interfere with the trial of Jefferson Davis for the crime of treason, or any other crime for which there may be probable ground for arraigning him before the tribunals of the country.

*Resolved, further*, That it is the duty of the Executive Department of the Government to proceed with the investigation of the facts connected with the assassination of the late President Abraham Lincoln without unnecessary delay, that Jefferson Davis and others named in the proclamation of President Johnson, of May 2, 1865, may be put upon trial and properly punished if guilty, or relieved from the charges if found to be innocent.

No action having taken place, the following correspondence ensued:

EXECUTIVE MANSION, WASHINGTON, D. C., Oct. 6, 1866.

SIR: A special term of the Circuit Court of the United States was appointed for the first Tuesday of October, 1860, at Richmond, Va., for the trial of Jefferson Davis on the charge of treason. It now appears that there will be no session of that court at Richmond during the present month, and doubts are expressed whether the regular term (which, by law, should commence on the fourth Monday of November next) will be held.

In view of this obstruction, and the consequent delay in proceeding with the trial of Jefferson Davis under the prosecution for treason, now pending in that court, and there being, so far as the President is informed, no good reason why the civil courts of the United States are not competent to exercise adequate jurisdiction within the district or circuit in which the State of Virginia is included, I deem it proper to request your opinion as to what further steps, if any, should be taken by the Executive with a view to a speedy, public, and impartial trial of the accused, according to the Constitution and laws of the United States.

I am, sir, very respectfully, yours,

ANDREW JOHNSON.

To the Hon. HENRY STANBERRY, Attorney-General.

*Reply of the Attorney-General.*

ATTORNEY-GENERAL'S OFFICE, October 12, 1866.

THE PRESIDENT—SIR: I have the honor to state my opinion on the question propounded in your letter of the 6th, as to what further may be proper or expedient to be done by the Executive in reference to the custody of Mr. Davis, and the prosecution for treason now pending against him in the Circuit Court of the United States for Virginia.

I am clearly of opinion that there is nothing in the present condition of Virginia to prevent the full exercise of the jurisdiction of the civil courts. The actual state of things, and your several proclamations of peace and of the restoration of civil order, guarantee to the civil authorities, Federal and State, immunity against military control or interference. It seems to me that in this particular there is no necessity for further action on the part of the Executive in the way of proclamation, especially as Congress, at the late session, required the Circuit Court of the United States to be held at Richmond on the first Monday of May and the fourth Monday of November in each year, and authorized special or adjourned terms of that court to be ordered by the Chief Justice of the Supreme Court, at such time and place, and on such notice, as he might prescribe, with the same power and jurisdiction as at regular terms.

This is an explicit recognition by Congress that the state of things in Virginia admits the holding of the United States courts in that State.

The obstructions you refer to, it seems to me, cannot be removed by any Executive order, so far as I am advised. It arises as follows:

Congress, on May 22, 1866, passed an act provid-

ing that the Circuit Court of the United States for the State of Virginia should be held at Richmond on the first Monday of May and on the fourth Monday of November in each year; and further providing that all suits, and other proceedings which stand continued to any other time and place, should be deemed continued to the time and place prescribed by the act. The special or adjourned session which was ordered by the court to be holden at Richmond in the present month of October was considered as abrogated by force of this act.

This left the regular term to be holden on the fourth Monday of November, and if there had been no further legislation by Congress no doubt could exist as to the competency of the chief justice and the district judge of that court then to try Mr. Davis. But on the 23d of July, 1866, Congress passed an act to fix the number of judges of the Supreme Court of the United States, and to change certain judicial circuits. Among other changes in the circuits made by this act is a change of the fourth circuit, to which the chief justice has been allotted. As this circuit stood prior to this act, when allotted to the chief justice, it embraced Delaware, Maryland, Virginia, North Carolina, and West Virginia. It was changed by this act by excluding Delaware and adding South Carolina.

It is understood that doubts exist whether the change in the State composing the circuit will not require a new allotment. Whether these doubts are well founded or not, it is certain that the Executive cannot interfere, for although, under peculiar circumstances, the Executive has power to make an allotment of the judges of the Supreme Court, yet these circumstances do not exist in this case. A new allotment, if necessary, can only be made by the judges of the Supreme Court, or by Congress—perhaps only by Congress.

Mr. Davis remained in custody at Fortress Monroe, precisely as he was held in January last, when, in answer to a resolution of Congress, you reported communications from the Secretary of War and the Attorney-General, showing that he was held to await trial in the civil courts. No action was then taken by Congress in reference to the place of custody. No demand has since been made for his transfer into civil custody. The District Attorney of the United States for the district of Virginia, where Mr. Davis stands indicted for treason, has been notified that the prisoner would be surrendered to the United States marshal upon a certain *capias* under the indictment, but the District Attorney declines to have the *capias* issued, because there is no other place within the district where the prisoner could be kept, or where his personal comfort and health could be so well provided for. No application has been made within my knowledge by the counsel for Mr. Davis for a transfer of the prisoner to civil custody. Recently an application was made by his counsel for his transfer from Fortress Monroes to Fort Lafayette, on the ground chiefly of sanitary consideration. A reference was promptly made to a board of surgeons, whose report was decidedly averse to change, on the score of health and personal comfort.

I am unable to see what further action can be taken on the part of the Executive to bring the prisoner to trial. Mr. Davis must for the present remain where he is, until the court which has jurisdiction to try him shall be ready to act, or until his custody is demanded under lawful process of the Federal courts.

I would suggest that, to avoid any misunderstanding on the subject, an order be issued to the commandant of Fortress Monroe to surrender the prisoner to civil custody, whenever demanded by the United States marshal, upon process from the Federal courts.

I send herewith a copy of a letter from the United States District Attorney for Virginia, to which I beg to call your attention.

I have the honor to be, etc.,

HENRY STANBERRY, Attorney-General.



OFFICE U. S. DISTRICT ATTORNEY FOR VIRGINIA, }  
NORFOLK, October 8, 1866. }

Hon. Henry Stanbery, Attorney-General of the United States :

SIR: In compliance with your request, I submit herewith the substance of the verbal statement I made you a few days since in answer to your question, "Why no demand has been made upon the military authorities for the surrender of Jefferson Davis, in order that he might be tried upon the indictment found against him in the United States Circuit Court at the term held at Norfolk in May last."

Two reasons have influenced me in not taking any steps for removing him from their custody. The one relates to the safe-keeping, the other to his own personal comfort and health. I have never had any doubt but that he would be delivered to the United States marshal of the district, whenever he should have demanded him on a *capias* or other civil process.

But you can readily understand that so soon as he goes into the hands of that officer, upon any action had by me, his place of confinement would be one of the State jails of Virginia.

At Fortress Monroe all necessary precautions can be and are taken to prevent his escape. Over the internal police of a State jail the marshal has no authority, and the safe custody of the prisoner could not be secured save at a very great expense.

Mr. Davis is now in as comfortable quarters as the most of those occupied by the army officers at the fort. The location is a healthy one. His family have free access to him. He has full opportunity for exercise in the open air.

If his health be feeble, remove him to one of the State jails, and his condition, instead of becoming better, would in all these respects be much for the worse.

His counsel probably understood all this, and, I think, will not be likely to take any steps which would decrease the personal comforts or endanger the life of their client.

I have the honor to be, most respectfully, your obedient servant,

L. H. CHANDLER,

U. S. District Attorney for Virginia.

MINNESOTA. The financial condition of this State is very favorable. Its funded debt exclusive of unrecognized railroad bonds consists of \$350,000, of which only \$190,000 is not held by the State. Its claim against the United States exceeds \$100,000, and the increase of the sinking fund will speedily cancel the entire debt. The taxable value of real and personal property returned for 1865-'6 was \$45,127,318; for 1866-'7, it is estimated at \$57,500,000. The revenue for the ensuing year on this basis from taxes will be \$322,546. The balance in the treasury at the close of the year was \$68,189.

The cash receipts of the school fund during the past year were \$109,935—and the total permanent fund amounts to \$1,333,161. The number of school districts in the State is 1,993; the number of pupils in attendance 52,753, and the number of persons between five and twenty-one years of age 102,118. The number of school-houses is 1,297, and the average daily attendance 33,319. The State University has not been put in operation. The expenditures for the State Prison expenses and buildings during the year were \$21,272. The logs sealed in 1866 amounted to 157,273,944 feet, valued at \$2,359,124. Over two hundred acres of land have been donated to the State, for a site of an

insane hospital. Temporary buildings have been provided, and the number of patients is thirty, which it is estimated will be increased to a hundred during the ensuing year. The Deaf and Dumb Institution contains twenty-eight pupils. The number of miles of railroads in the State in operation is 315, of which 109 miles were completed during the year. The population of the State on June 1st, 1866, is estimated at 310,000, and the immigration of the year at 38,000.

The Governor, Marshall, in his message to the Legislature at its session in January, 1867, urged the adoption of the amendment proposed by Congress to the Federal Constitution. He said:

It secures to all citizens of the United States equal civil rights—it apportions representation in Congress and the electoral college equally among the States, according to the number of persons enjoying political rights—it forbids the holding of civil or military office under the United States, or any State, by any one who, having taken an oath to support the Constitution of the United States, joined in the rebellion to overthrow that constitution—it renders binding and sacred the national debt created to preserve the Government, and forbids the assumption and payment of any debt incurred in the effort to destroy the Government.

These reasonable, just, and necessary conditions are offered by Congress, representing the loyal people and States that saved the Government from overthrow, as the terms upon which the people and States lately in rebellion may again enjoy equal and full participation in the Government.

The voice of the people in the late elections has fully approved the action of Congress, and irrevocably decreed the adoption of this amendment, as a condition precedent to the restoration of the rebel States to their former and normal relations to the Union. It is now for those States to choose whether upon these liberal terms they will again enjoy the rights of the Union, which they voluntarily relinquished and criminally destroyed, or perpetuate their present anomalous and disorderly attitude of separation from the Federal Government. Nor will the nation long permit the contumacy of the disloyal elements now governing the Southern States to retain them in this condition of anarchy, or prevent them from resuming their constitutional functions in the Union. In the event of their refusal to accept the amendment, it may become the duty of Congress to reorganize their civil governments on the basis of equal political rights to all men, without distinction of color, and thus to devolve upon the now disfranchised loyal people of the South the work of national reintegration.

It would not be strange if, when we see the end, we should recognize the hand of Providence in the hardening of men's hearts, who still—in a political sense—refuse to let the children of oppression go free.

The State election, which took place on November 6th, was for the choice of an auditor and a clerk of the Supreme Court. The convention of the Republican party for the nomination of candidates was held at St. Paul, on September 19th. Sherwood Hough was nominated for clerk of the Supreme Court, and Charles McIlrath for auditor. The resolutions on political questions adopted, were as follows:

*Resolved*, That the Union party of Minnesota, having sustained the General Government during four years



of successful war against the united efforts of rebels South and rebel sympathizers North, will maintain its integrity, and present in the future as in the past a solid front in resisting the efforts to surrender the Government to those who sought to destroy it.

*Resolved*, That we join in the demand that loyal men of all the States that defended and preserved the National Government shall dictate the terms on which traitors and rebellious States shall again participate in the General Government.

*Resolved*, That the convention hereby endorse the amendment of the Constitution proposed by Congress as a magnanimous offer of terms on which the rebellious States may be admitted to representation in Congress.

*Resolved*, That the nation owes an everlasting debt of gratitude to the noble men of the Union army—that the late action of Congress giving additional vouchers, has only partially discharged the Government duty to its heroic defenders, and we urge that further and more full justice be done them.

The Democratic Convention for the nomination of candidates for the same offices assembled at St. Paul on September 27th. Sergeant N. E. Nelson was nominated for auditor, and Lieutenant Denis Cavanaugh for clerk of the Supreme Court. For resolutions the following were adopted:

*Whereas*, The paramount issue before the people is the preservation of the Union by a return to peace in fact as well as in name, therefore,

*Resolved*, That the convention adopt and reaffirm the declaration of principles made by the National Union Convention, held at Philadelphia, on the 14th of April, 1866, in the following terms.

For the resolutions of the Philadelphia Convention see UNITED STATES.

At the election the number of votes cast for members of Congress was 41,758; of which the Republican majority was 10,208. Hough was elected clerk of the Supreme Court, and McIlrath auditor. Both the Congressmen elected were Republicans.

At the session of the Legislature, which assembled in January, 1866, the following resolutions were reported from the committee on Federal relations:

*Resolved*, by the House of Representatives of the State of Minnesota [the Senate concurring], That we devoutly recognize the Providence of Almighty God in the triumph of the Federal Government over the great slaveholders' rebellion—that, in this struggle for national life, the heroic achievements of our army and navy challenge our highest admiration, and will ever be held in grateful remembrance.

*Resolved*, That the suppression of armed rebellion against the National Government has demonstrated the inherent strength of the Republic, the patriotism, the love of liberty, the virtue, and endurance of our people.

*Resolved*, That, while traitors in arms have been vanquished, the spirit of rebellion, of hatred to the Republic, still exists, and still seeks the opportunity of striking down the flag, which is the emblem of the glorious principles of the Declaration of our Independence.

*Resolved*, That the safety and permanence of our free institutions demand from the people and their representatives, no less enthusiasm, constancy, and patriotism at the present time than while civil war was threatening our political existence.

*Resolved*, That no false hopes should be cherished, no abstract theories indulged, no advantages lost, in this golden period of opportunities; but while gener-

osity, magnanimity, and conciliation should be our mottoes, wisdom, prudence, and experience should be our guides.

*Resolved*, That the logical consequence of secession was the abolition of slavery; that the events of the war made this a necessity; that returning peace has its problems, upon the correct solution of which depends the future integrity, the quiet, the harmony, and the safety of the nation.

*Resolved*, That in adjusting questions growing out of the rebellion, Congress should not allow itself to be hindered or thwarted by those most interested in making vain the hopes springing from its suppression.

*Resolved*, That no pecuniary obligations contracted for, or in aid of the rebellion, should ever, upon any pretext, be submitted to the action of Congress.

*Resolved*, That steps should be taken to secure and establish the strongest guaranties of freedom and civil rights to all, irrespective of color, and that, whenever the elective franchise shall be denied or abridged in any State on account of race or color, all persons of such race or color shall be excluded from the basis of national representation.

*Resolved*, That we rely upon the firmness and wisdom of Congress in the present exigency of public affairs; that it is to Congress the people of Minnesota look for the true reconstruction policy; that the people of Minnesota will approve all measures looking to the sure establishment of justice in all the rebel States, and will indorse and sustain such of their Representatives as stand shoulder to shoulder until the fruits of victory are secured, and the appropriate results of our sacrifices achieved.

The resolutions were passed in the House; yeas 28, nays 12. In the Senate the following was offered by Mr. Murray as a substitute:

*Resolved*, by the Senate, the House of Representatives concurring, That there is no warrant or authority in the Constitution of the United States for any State or States to secede, and that the resolves to that end, or for that purpose, are absolutely null and void, and that the war having defeated the attempt to thus divide and break up the Union, it is of vital importance to the Republic and to all the States thereof, that the States recently in revolt, and each and every one of them, should resume their appropriate and constitutional position and functions in the Union without delay; and to this end it is the sense of the Legislature of the State of Minnesota, that our Senators and Representatives in Congress should, waiving all minor differences, and seeking only to maintain and preserve the Union of our fathers, support the President in every and all Constitutional efforts and policy to restore to their places in the Union the States lately in rebellion.

The substitute was laid on the table; yeas 13, nays 7, and the resolutions passed.

This session of the Legislature was regarded as one of the most important for the State. A revision of the general statutes was made; the last revision having been made in 1851, six years prior to the adoption of the constitution. Acts were passed compelling the railroad companies to carry freight and passengers on equal and liberal terms, and also very favorable to the companies in other respects. Initiatory steps were taken for the payment of \$2,275,000 of bonds issued by the State to aid the railroad companies. The geological survey was ordered to be continued in the mineral regions of the State; two additional normal schools were established, and a hospital for the insane.



The present surplus wheat product of the State is estimated at eight millions of bushels, but the insufficient transportation has resulted in high freights.

MINTURN, ROBERT BOWNE, an American merchant and philanthropist, born in New York City, November 16, 1805; died there January 9, 1866. He descended from a family of merchants remarkable for energy and business talent, received a good English education, but, losing his father at the age of fourteen, was compelled to leave school, and enter a counting-house. Though faithful to the interests of his employers, he improved his leisure moments in study, and his evenings in attendance upon regular courses of instruction, and the habit thus formed of reading and application, followed him through life. His acquaintance with general literature was extensive, and his knowledge upon prominent questions of the day remarkable. In 1825 he was admitted to a share in the mercantile business of Mr. Charles Green, whose clerk he had previously been, who soon after visited Europe, leaving young Minturn, though but twenty-one years of age, the sole manager of the establishment. During this period occurred a financial crisis which brought him into a position of great responsibility, taxing his powers to the utmost. His faithfulness and good judgment were successful in preserving the interests of the firm, and he continued there until 1830, when he became a partner in the house of Fish and Grinnell, since known the world over by the name of "Grinnell, Minturn and Company." His devotion to business was unflagging. While a clerk in the counting-house, he had invested little sums in commercial ventures with such success as enabled him to become the owner of a small vessel. The same thrift and industry attended him during manhood, and helped to give the mercantile house to which he belonged for thirty-five years its stability and world-wide reputation. As his means increased, his large and generous heart prompted him to devote an increasing share for the good of others. He declined all political honors, and but once only, through the whole period of his life, was prevailed upon to accept an office. He was one of the first Commissioners of Emigration, consenting from a desire of protecting emigrants from robbery, and to provide homes for emigrant orphans. He was an active manager of many of the charitable institutions of the city of New York, and one of the originators of "The Association for Improving the Condition of the Poor." He was also among the founders of St. Luke's Hospital. His ceaseless activity and unwearied devotion to business and the benevolent operations of the day wore upon his strength, and in 1848 he was obliged to visit Europe for the benefit of his health. Upon his return he entered again upon his works of love and mercy, and with new zeal. When the war broke out, all the patriotism of his nature was aroused, and he aided to the utmost in upholding

the Government, even considering at one time seriously the question of entering the army, old and feeble as he was. Again his state of health compelled him to go to Europe, but while there all his energies were exerted in behalf of his country. Upon his return he was induced to accept the Presidency of the Union League Club, which he held until his death. After the emancipation policy was accepted by the nation, the condition of the freedmen drew forth his sympathies, and his last work was in their behalf. Mr. Minturn was a man of deep personal piety, unbending integrity, sound judgment, and thoroughly devoted to works of love and mercy.

MISSISSIPPI. The report of the financial officers of the State of Mississippi for the year ending October 15th, states that the receipts into the treasury were \$569,048, and the disbursements \$507,086; balance \$61,922. The amount of uncurrent funds in the treasury, being paper obligations which had grown out of the transactions of the war, such as Confederate treasury notes, etc., was \$795,930. The revenue bill passed by the Legislature in the previous year furnished sufficient means to meet the wants of the State. It was feared that much of the tax of one dollar per bale of the cotton crop of 1866 would be lost; because many, who, allured by the high price of cotton, embarked in its cultivation, would, it was believed, become disappointed and disgusted under the failure of the crop, and selling their cotton would leave the State before the time for the collection of the tax.

An extra session of the Legislature was called by Governor Humphrey to assemble on October 15th. He states that he convened that body being "constrained by the necessities of the State." No special emergency existed, but a general exigency, resulting from the altered and deranged conditions of their Federal relations and domestic affairs, demanded further consideration. The regular sessions of the Legislature are biennial. The governor says: "The removal of the negro troops from the limits of the State, and the transfer of the Freedmen's Bureau to the administration and control of the officers of the regular army, had resulted in relieving the white race from the insults, irritations and spoliation to which they were so often subjected, and the black race from that demoralization which rendered them averse to habits of honest industry and which was fast sinking them in habits of idleness, pauperism, and crime. Both races are now settling down in business life, and cultivating those sentiments of mutual friendship and confidence so essential to the prosperity and happiness of both." Of the amendment to the Federal Constitution proposed by Congress, and known as Article XIV., he says to the Legislature: "This amendment, adopted by a Congress of less than three-fourths of the States of the Union, in palpable violation of the rights of more than one-fourth of the States, is such an insulting outrage and denial



of the equal rights of so many of our worthiest citizens who have shed glory and lustre upon our section and our race, both in the forum and in the field, such a gross usurpation of the rights of the State, and such a centralization of power in the Federal Government, that I presume a mere reading of it will cause its rejection by you." The "Civil Rights" bill, passed at the same session of Congress, came in conflict with many of the State laws passed in pursuance to the amendment of the State constitution emancipating the slaves in the State, and requiring the Legislature "to guard them and the State from the evils that may arise from their sudden emancipation." Commissioners were therefore sent by the Governor to lay these laws before the President, with a request that he would indicate which of them the military authorities in the State would be allowed to nullify. The President in reply gave them full assurance that none of them should be nullified except by the civil courts of the land. No violent collisions occurred between the State and Federal authorities, neither did the Governor apprehend any. All questions which could not be otherwise adjusted have been submitted to the judicial tribunals. The Governor stated that, "as the negro has shown a confiding and friendly disposition toward the white race, and a desire to engage in the pursuits of honest labor, justice and honor demand of us full protection to his person and property, real and personal. Fire-arms are not essential to his protection, prosperity or happiness; and society should be guarded by requiring him to procure a license to carry them—a privilege he can always secure where his character for good conduct and honesty is known." He further urged the admission of their testimony in all cases brought before the civil and criminal courts.

No complete returns had been received of the number of destitute disabled Confederate and State soldiers, and their widows and their indigent children, but the number was so large that the Governor recommended an agent to be sent to the Northwestern States to purchase provisions, which should be distributed as soon as complete returns were received, and that, instead of \$60,000, twenty per cent. of the entire revenues of the State should be appropriated for their relief. The sum of \$9,000 had been sent by ladies of Baltimore for their assistance. Measures have been taken to preserve the public buildings at Jackson from utter ruin, but large sums are required to restore them. The number of convicts received at the Penitentiary was 160, while there were only 100 cells for their accommodation, and an absolute inability to find employment suitable to their confined condition. The property of the salt works of the State cannot be found, and a portion of that of the State distillery has been sold for \$531. According to the returns there are about 300 maimed soldiers in the State who require artificial legs.

The second session of the State University since the close of the war, opened on September 24th with one hundred and fifty-seven pupils, which number soon increased to two hundred and one. This equals the prosperity of the university at its most flourishing period before the war. The university was originally established on a grant of thirty-six sections of land made by Congress in 1819, and vested in the Legislature. A part of the land has been sold and the State is indebted to the university. The institution now asks the State to appropriate \$30,000 in two annual instalments as ample to meet its present necessities.

From every portion of the State appeals have been made to the government for immediate relief from the burdens which oppress all classes of citizens. The desolation and ruin of their fortunes, the heavy indebtedness, both foreign and domestic, of the people, the scarcity of the necessaries of life, the want of means to procure them, and the uncertainty of their future treatment by the Federal government, sunk the public mind in gloom and despondency. Painful apprehensions existed that the Federal tax on the only production of labor and the suits on the appearance and issue dockets of the courts, would turn thousands from their homes in want and destitution.

The Legislature on December 4, 1865, passed an act requiring an enumeration of the inhabitants of the State to be taken during the ensuing year. Complete returns were obtained during the year from all excepting nine counties. Compared with the returns in 1860, they present the following results (see table on page 522):

The white population in the fifty-one counties in 1860 was.....	322,283
Do. in 1866.....	308,073
Decrease.....	14,210
The black population in the same fifty-one counties in 1860 was.....	399,176
Do. in 1866.....	346,795
Decrease.....	52,381
Total population in 1860 in the fifty-one counties.....	721,459
Do. in 1866.....	654,868
Decrease.....	66,591

The population of the State in 1850 was 606,526; of which 295,718 were whites, and 310,810 blacks.

The extra session of the Legislature convened by the Governor continued about fifteen days, and adjourned to the ensuing year. The acts passed in 1866 were almost entirely of a local nature, relating to the penitentiary, county courts, repairs of public buildings, finances, practice in courts on suits for debt, etc. An act was passed to accept the donation of public lands granted by Congress to States providing colleges for the benefit of agriculture and the mechanic arts. The following resolutions rela-



COUNTIES.	1860.			1866.		
	Whites.	Colored.	Total.	Whites.	Colored.	Total.
Adams.....	5,648	14,517	20,165	4,687	12,039	16,726
Amite.....	4,427	7,909	12,336	3,260	6,250	10,510
Attala.....	9,142	5,025	14,169	7,636	5,003	12,630
Bolivar.....	1,393	5,078	10,461	1,334	6,156	7,490
Calhoun.....	7,695	1,823	9,518	6,609	1,931	8,540
Carroll.....	8,214	13,821	22,035	8,317	11,397	19,714
Chickasaw.....	7,338	9,808	16,426	8,789	8,337	17,116
Choctaw.....	11,525	4,197	15,722	12,337	4,501	16,838
Claiborne.....	3,339	12,340	15,679	2,934	8,310	11,244
Clarke.....	5,692	5,079	40,771	5,323	3,905	9,228
Coahoma.....	1,521	5,085	6,606	.....	.....	.....
Copiah.....	7,432	7,966	15,398	8,541	9,140	17,680
Covington.....	2,845	1,563	4,408	2,271	1,085	3,356
Davis.....	2,916	407	3,232	.....	.....	.....
De Soto.....	9,349	13,987	23,236	10,669	12,749	23,418
Franklin.....	3,493	4,767	8,265	3,845	3,715	7,560
Greene.....	1,526	706	2,232	.....	.....	.....
Hancock.....	2,232	857	3,139	1,448	642	2,090
Harrison.....	3,751	1,068	4,819	2,268	627	2,895
Hinds.....	8,940	22,399	31,339	8,699	16,050	25,649
Holmes.....	5,806	11,985	17,791	5,368	10,748	16,116
Issaquena.....	537	7,244	7,831	.....	.....	.....
Itawamba.....	14,156	3,539	17,695	12,757	2,924	15,881
Jackson.....	2,955	1,167	4,122	.....	.....	.....
Jasper.....	6,453	5,554	11,007	5,739	4,493	10,232
Jefferson.....	2,918	12,431	15,349	2,875	9,015	11,890
Kemper.....	5,936	5,746	11,682	.....	.....	.....
Lafayette.....	8,939	7,136	16,125	.....	.....	.....
Lauderdale.....	8,224	5,089	13,313	7,858	6,698	14,556
Lawrence.....	5,513	3,700	9,213	5,833	4,093	9,926
Leake.....	6,266	3,058	9,324	6,458	3,152	9,610
Lowndes.....	6,891	16,734	23,625	5,609	17,732	23,349
Madison.....	5,260	18,122	23,382	4,457	13,789	18,246
Marshall.....	11,376	17,447	28,823	10,587	11,837	22,461
Marion.....	2,500	2,186	5,686	2,276	1,705	3,981
Monroe.....	8,545	12,738	21,283	10,778	11,250	22,628
Neshoba.....	6,131	2,212	8,343	5,451	1,662	7,113
Newton.....	6,279	3,383	9,661	5,679	4,358	10,037
Noxubee.....	5,171	15,496	20,667	5,793	15,858	21,651
Octibbeha.....	5,328	7,649	12,977	.....	.....	.....
Panola.....	5,237	8,857	13,794	6,237	9,152	15,359
Perry.....	1,858	748	2,606	.....	.....	.....
Pike.....	6,174	4,961	11,135	6,579	5,029	11,608
Pontotoc.....	14,513	7,600	22,113	14,086	5,835	19,921
Rankin.....	6,530	7,105	13,635	5,669	5,091	10,760
Scott.....	5,180	2,959	8,139	4,800	2,388	7,859
Simpson.....	3,744	2,336	6,080	3,582	1,247	5,829
Smith.....	5,435	2,203	7,638	5,145	2,031	7,176
Sunflower.....	1,102	3,917	5,019	1,096	3,505	4,601
Tallahatchie.....	2,835	5,055	7,890	2,691	4,759	7,450
Tippah.....	16,206	6,314	22,520	14,671	4,710	19,381
Tishamingo.....	19,159	4,990	24,149	17,308	3,769	21,077
Tunica.....	883	3,483	4,366	1,146	3,533	4,679
Warren.....	6,896	13,800	20,696	2,440	12,234	14,670
Washington.....	1,212	14,467	15,679	1,390	11,908	13,308
Wayne.....	1,744	1,947	3,691	2,098	1,920	4,018
Wilkinson.....	2,779	13,154	15,933	3,067	9,488	12,555
Winston.....	5,583	4,227	9,811	6,214	4,015	10,229
Yalobusha.....	7,415	9,537	16,922	8,144	8,285	16,429
Yazoo.....	5,657	16,716	22,373	5,015	11,248	16,263
Total.....	353,899	437,404	791,303	.....	.....	.....

tive to Jefferson Davis were passed in the House: yeas 75, nays 0.

*Resolved*, That this body desires to express to Jefferson Davis their deepest sympathy, their profound respect, their combined personal attachment, and their enduring remembrance of his virtues as a man, and of those great qualities of mind and heart which, in the cabinet and field, in power and in misfortune, have marked his eventful life, and which, from his prison-house, call forth and receive at their hands the same acknowledgment of love and regard that they did when he breathed the air of freedom.

*Resolved*, That the members of the House look upon the confinement of Mr. Davis as a State prisoner and without judicial powers, continued now nearly eighteen months, as unwarrantable by the Constitution and the law, and in the name of common humanity they urge his immediate release, or at least that speedy trial which every man has a right to claim under the Constitution when called upon to answer to the courts of the country for his conduct.

*Resolved*, That this House is desirous that able members of the Mississippi bar should at once proceed to Virginia and actively engage in the defence of Mr. Davis, with a view to his release; and that,



for such purpose, it is prepared to make the necessary appropriations.

*Resolved* further, That this House present to the people of Mississippi the subject of providing for the family of Mr. Davis, by such general and liberal contributions from every county as will insure to his wife and children that provision for life which his eminent services, his devotion to his State, his self-sacrifice, his great merits, and great misfortunes, so imperatively demand, and which, for Mississippi now to refuse, will show her and her sons alike degenerate.

At the session in January, 1867, the Constitutional Amendment was unanimously rejected. Under the authority of an act at the first session of the Legislature, a bureau has been organized for the perfection and preservation of the records of the Mississippi troops. No one of the Southern States more reluctantly consented to the admissibility of negro testimony than Mississippi. But at a trial in Atala county, in October, of a white for the homicide of a negro, the witnesses were negroes alone, and not only were objections made that their testimony was incompetent, but this being overruled, the jury were urged to disregard it as being unworthy of belief. But the jury convicted the man of manslaughter, and the Circuit Judge, J. A. P. Campbell, elected by the people, in passing sentence upon him, approved of the verdict, and of the admissibility of such testimony as a basis of conviction.

A cotton-mill operating 2,100 wool spindles, and 4,032 cotton spindles, 96 looms, etc., calculated to employ 200 hands, and make 5,000 yards of cloth per day, was erected in Copiah County during the year. A new town has sprung up around it. Churches, both Catholic and Protestant are in progress of construction, the latter comprising Baptists and Methodists, while the company are making preparations for the building of school-houses and a female college.

A case involving the question of the effect of secession upon the existence of the State, came before the High Court of Errors and Appeals, from the decision of which the following extract is taken :

It was never claimed or insisted that the Government of Mississippi was usurped or not rightful. No other power ever assumed the right to administer the powers of government within her limits, or disputed her right to exercise those powers, as she had previously done in subordination only to the Constitution of the United States, as the supreme law of the land. Her existence as a State was never the subject of controversy. But her relation to the other States of the Union, her right to dissolve that relation and form a new compact with other States, was the disputed question.

If, then, her ordinance of secession was void, this could no more affect her government or her sovereignty as a State in the Union, than if it had never existed. If a nullity, it surely in law could not amount to political suicide. If she had ordained her own dissolution, instead of a dissolution of her external relations to the Government of the United States, there would have been more plausibility in the idea that the Government had been annihilated. But in the continued existence of all the powers of government over her own citizens, and in her own limits—her legislative, executive, and judicial departments, with all other civil officers in the daily discharge of their duties and functions—how, or when did she

lose her existence as a State? Or why should her legislative acts, not in contravention of the Constitution of the United States, or of her own Constitution, be invalid? The Government of the United States not only never claimed the right to deprive her of these powers, but throughout the struggle professed to labor for the preservation and protection of her people, as a State, in the old Union, and thereby prevent the disruption of that Union.

If Mississippi was not a government rightfully, and in fact, who else sought or claimed, or possessed the powers of government, which were in fact regularly administered over her people? Can it be that without even a claimant to dispute her right, her legislative acts, not forbidden by any organic law, are void for want of governmental power to pass them; and this because of a void ordinance passed by the people in Convention? Because the Government of the United States detained Mississippi in the Union by coercion of arms, to prevent its own dissolution, it does not follow that Mississippi thereby became extinct as a State, and the Union dissolved. Nor can it be true that the old Union was preserved, and yet that eleven States have been destroyed in the effort!

In legal effect, the character of Mississippi as a State in the Union, was therefore established, and not destroyed by the events of the war, and the act in question remains unaffected by its political results.

And this would be the result, even if Mississippi had been a foreign State. The rules of international law already stated in the cases above cited, show that even when the territory of a State or nation, in whole or in part, is conquered by, or ceded to, or united by treaty with another nation, the municipal laws of the conquered, ceded or united territory or nation, remain in full force until legally changed by the legislative power of the acquiring nation, agreeably to its elementary law and constitution. Gardiner's Institutes, p. 53, § 13. Sedgewick on Statutory law, p. 84, and cases cited.

So in 12th Peters R., p. 436, the Supreme Court of the United States say, that by the law of nations the municipal laws of a ceded or conquered country, existing at the time of cession or conquest, continue in force until altered by the new sovereign.

But "the belligerent right of the United States Government growing out of the suppression of the rebellion, does not confer on it the right of conquest after the suppression. No nation can make a conquest of its own territory. It acquires no new title, but only regains the possession of which it was temporarily deprived." J. Sprague in the *Amy Warwick*, U. S. Dist. Ct. for Mass. 24 Law R. p. 335.

The ordinance of the Convention of August, 1865, was not necessary to give validity to the act in question. Nor can it be inferred from their action, taken in connection with their debates on that subject, that such was their opinion. The ordinance appears to have been passed out of abundant caution, lest the dogma assumed by the President in his proclamation appointing a Provisional Governor—that the State had become deprived of civil government—might be recognized, and the acts of the State Government declared void.

We think it results from the foregoing views necessarily—

1. That the provision in the Constitution of the United States, as well as the State of Mississippi, requiring members of the Legislature to take an oath to support the Constitution of the United States, is merely directory; and the failure to take such an oath will not invalidate their action.

2. That all acts passed by the Legislature of Mississippi during the war, not inconsistent with her organic law, were valid, and remained so afterwards, until altered or repealed by her authority; with the exception that, upon the return of peace, all such acts as were inconsistent with the Constitution of the United States, or the laws passed in pursuance thereof, and then existing, were thereby annulled.



MISSOURI. The Missouri Legislature for 1865-'66 had an unusually long session. They met on the 1st of November, 1865, and sat until the 20th of December, when a recess was taken to the 8th of January, 1866, after which the session was continued till the 19th of March, or nearly five months. Most of the time was consumed in the discussion of questions growing out of the Federal relations to the State, and the policy of President Johnson. The President's veto of the Freedmen's Bureau bill called forth the warmest animadversions from the members of both Houses who were opposed to it; and on the 22d of February the following resolutions were adopted in the House by a vote of 77 to 25, and in the Senate by 21 to 5:

*Resolved*, That the conflict which has existed for the last five years, between loyalty and disloyalty, is still pending, and that the safety of the nation demands that the government shall be retained in loyal hands.

*Resolved*, That in the thirty Senators who voted to sustain the Freedmen's Bureau bill, vetoed by the President, and in the Union majority of the House of Representatives, who supported the same and kindred measures, we recognize the true and worthy Representatives of the principles which saved the country in the late rebellion, and we tender such Representatives the hearty support and sympathy of ourselves and our constituents.

Charges having been made by those who were hostile to the new State constitution, adopted by the people, June 6, 1865, that grave frauds had been perpetrated at the ballot-boxes on that day and in the counting of the votes, a resolution was offered in the Senate providing for the appointment of a committee to inquire into and report on the facts. This was lost by a tie vote—the President of the Senate voting in the negative.

In the same month a resolution was introduced into the House to abrogate the test oath as to preachers, teachers, and lawyers. This was frequently debated and postponed until the 16th of March, when it was disposed of by the House refusing to consider it by a vote of 61 to 30. This test oath, as will be seen below, was the most important topic of political contention in the State during the year.

An attempt was made in the Senate to amend the new constitution by the insertion of a proviso that any person, having served out a regular enlistment in the service of the United States during the late war, or having served and been regularly mustered out of the State service, should be relieved from taking the test-oath. This was defeated by a vote of 14 to 12.

The return of a great number of turbulent spirits to the pursuits of ordinary life, at the close of the war, gave rise to those disturbances which have characterized, to some extent, all the border States during the past year. There were several organizations of men, apparently banded together for the purpose of plunder, who roamed about Lafayette and Jackson Counties, visiting country towns, riding through the streets, swaggering into hotels and bar-rooms, and even into the court-houses, with revolvers

stuck in their belts. These men broke into houses, robbed travellers on the highway, and were in fact brigands. The civil officers being overawed by their numbers and desperate conduct, Gov. Fletcher called out thirty-four companies of militia to aid the civil arm. Before the militia were put into the field, however, the people of Jackson County took the matter in hand, and restored order. In Lafayette County three companies and a platoon of militia, under command of Colonel Bacon Montgomery, were actually sent against the marauders; and in the effort made to arrest one of the most notorious of them, he resisted by firing on the militia, and was shot at and killed. Colonel Montgomery was arrested on a civil process for his participation in this affair (for the sending of the militia to Lafayette was regarded by some as an unnecessary proceeding, inflicting a greater outrage on the people than any from which they had suffered), but he was soon released.

The Governor sent a communication to the Legislature on the 1st of March on the subject of these disturbances, as follows:

SENATORS AND REPRESENTATIVES,—Inspired by a sense of duty I again call your attention to the fact that at different points in the State there are collected bands, of about fifty each, of the most desperate characters that ever disgraced the form of men, thoroughly armed and well equipped, and awaiting the favorable moment to commit such outrages, robberies and murders as not even the bushwhackers' dark history has heretofore chronicled. I am preparing to break up these lawless bands, to bring to justice outlaws who are thus defiant of civil authority. This I intend to do, whatever may be the circumstances in which I am myself involved. I again appeal to you to place at the disposal of the military department the means necessary to subside the force which the actual condition of affairs in the State indicate as likely to be indispensable to the protection of lives and property of people from these gathering organizations of marauders. The law must be upheld by the power of the sword, and this it shall not want to make it feared. I require the means of subsisting the necessary force; and for that and the purpose of transportation and such other incidental expenses as may be necessary in the premises, I ask you to place a sufficient sum at my disposal.

Very respectfully,

THOMAS C. FLETCHER.

Whereupon an act was passed appropriating \$20,000 to aid in the execution of the civil law of the State, and authorizing the governor to incur any extra expense that might be necessary to ferret out and bring to justice murderers, thieves, guerillas, and other disturbers of the public tranquillity.

An interesting case, involving the legality of the new constitution, was decided by the Supreme Court of the State in April. Judge Dryden was one of those judges of the old Supreme Court whose places were declared vacant by the Constitutional Convention of 1865, and who, failing to comply with the statute vacating his office, was removed by force. He brought suit against the governor, the judges of the Supreme Court and others, and claimed damages to the amount of several



thousand dollars for unwarranted arrest and aggressive assault. It was very difficult to obtain a jury, and there were fifty-three challenges in all. Council for the plaintiff offered in evidence the commission of Mr. Dryden as judge. Objections were made to its admissibility, on the ground that the fundamental law of the State cut off the duration of the commission May 1, 1865; and, as the commission was dated several months previous, it was irrelevant. Judge Reber (presiding) held that the commission of Governor Gamble to the plaintiff was not competent evidence. The court, after a careful review of the case, decided that the ordinance of the Constitutional Convention was valid; that Judge Dryden had no legal title to the office of judge on the day when he was removed by force, and that he could not recover in an action for ejectment. The decision sustained the new constitution throughout.

At the election, held under the new constitution, on November 7, 1865, Francis P. Blair, Jr., tendered his vote, which was rejected by the judges of the election, because he had refused to take the test oath. Mr. Blair, therefore, brought an action in the State Supreme Court (nominally) to recover damages against the judges for refusing to receive his vote, but really to have the provisions of the constitution requiring the oath passed upon by the court. In June, 1866, a majority of the court, Judges Reber and Lord, sustained the constitutionality of the oath—Justice Moody dissenting.

Previous to this decision, the test oath was before the United States Supreme Court for adjudication. The case was that of John A. Cummings *vs.* the State of Missouri, on a writ of error to the Supreme Court of that State. The plaintiff in error was a priest of the Roman Catholic Church, and was indicted and convicted in one of the circuit courts of Missouri for the offence of teaching and preaching without having first taken the oath, and was sentenced to pay a fine of \$500, and to be committed to jail until the same was paid. On appeal to the Supreme Court of the State, the judgment was confirmed.

The United States Supreme Court decided the test oath to be unconstitutional, and ordered the judgment of the State court to be reversed. The substance of the decision was known as early as May, 1866, but the decision was not published until January, 1867. (*See OATHS.*)

At Cape Girardeau, in the month of June, some excitement was caused by the arrest of several sisters of charity or nuns, attached as teachers to the convent of a Catholic academy at that place, because they had not taken the oath. The matter was finally compromised by the offenders giving a bond for their appearance at the following circuit court of Cape Girardeau County, to answer the charge. Rev. Father O'Regan, a Roman Catholic priest, of the same county, was fined by the circuit court for solemnizing a marriage without having taken the oath. Governor Fletcher, on learning the de-

cision of the court, remitted the fine, and sent to Father O'Regan the following letter:

JEFFERSON CITY, October 19, 1866.

REV. FATHER O'REGAN—Dear Sir: Herewith please find a remittal of the fine imposed on you by the Circuit Court of Cape Girardeau County for solemnizing a marriage without taking the oath of loyalty. On an examination of the record at Jackson, I found that there was no final action in the cases of Father McGerry and Father Ryan. I also found that the cases of the ladies of St. Vincent's convent were continued.

The constitution of the State only permits me to interfere "after conviction." I regret that it is so, as it would have been a real pleasure to me to relieve from further annoyance—from the indictments found against them—the venerable and worthy Father McGerry, and the estimable and devoted sisters of the convent, and whom you may assure I will do as soon as can be done legally.

Very respectfully, your obedient servant,  
THOMAS C. FLETCHER.

This letter elicited a response, in which, while the Governor is thanked for his kind intervention, the right of the ministers of the Roman Catholic Church to solemnize marriages without reference to civil restrictions, is defended at length.

At one of the terms of the circuit court at Palmyra, fourteen ministers, who had not taken the oath, were indicted for preaching. The cases were laid over till the February term of 1867, and were of course abandoned, in consequence of the decision of the United States Supreme Court. A similar disposition was made of other cases then pending in other circuit courts.

With reference to this subject of test oaths, Governor Fletcher made the following recommendation in his annual message to the Legislature, in January, 1867:

I recommend the General Assembly to submit an amendment to the constitution striking out the ninth section of the second article. This section has not prevented disloyal persons from pursuing the avocations of lawyers and school-teachers. Bishops, priests, and ministers, teach and preach without taking the required oath. Whenever a law is unnecessary for the protection of the rights of the people, or to secure their prosperity and welfare, they will not demand a forced obedience of it. Such laws are productive of the most lamentable consequences. The example offered by their disregard, especially by so intelligent and influential a class of citizens, begets a general disposition to exercise individual discretion in obeying or enforcing laws—a disposition which leads to anarchy and impunity in crime.

The dangers to society from the too frequent use of oaths, and especially oaths for the taking of which great inducements are offered, and often demanded by the very necessities of persons, cannot be overestimated; and when there is, by common usage, no penalty inflicted for the falsely taking of them, such oaths are destructive of good conscience, and are calculated to engender dangers to life and property greater than was threatened by rebellion. This is one of the many oaths required by our constitution and laws that are unnecessary, and which only familiarize the mind with the taking of oaths, thereby lessening their solemnity and impressiveness, and inducing perjury by creating a motive to swear falsely.

The oath of loyalty required of voters is also of this class. The ballot is thereby offered as the price



for perjury, and the most loyal, no matter how unlearned, are required to swear that they are well acquainted with the terms of the third section of the second article. That section defines what shall constitute a disqualification as a voter, and adequate punishment can be affixed to the offence of registering as a voter, or offering to register as such, or of voting in violation of law. Aside from the utter failure of this oath as a means of protecting the ballot-box from the votes of disloyal persons, the provisions of the Constitution of the United States, and the humane principle of law, that no one shall be compelled to testify against himself, seem to me inconsistent with the end sought to be accomplished by the voter's oath. There are certainly less objectionable and more effective modes for the enforcement of the disfranchising law. It may be done by punishment for illegal voting, as well as for false swearing, and thereby prevent the commission of the latter crime.

The supporters of President Johnson struggled long and hard to carry the fall elections, but without success. The State was thoroughly stumped, and large mass meetings were held at St. Louis and other important points. Political feeling never ran higher in Missouri; and yet the canvass was conducted with a remarkable absence of personal hostility between the candidates or their respective adherents. The vote of Maries County was not counted for want of registration, and that of Calloway was rejected for a similar reason. In Christian, Ozark, and Harrison Counties, the congressional vote was not certified, and in Shannon County no election was held. The vote of these counties, however, made but a slight difference in the total result, which was reported as follows:

DIST'S.	Radical.	Conservative.	Majorities.
1.....	6,728	6,510.....	Radical maj..... 218
2.....	9,564	6,254.....	" "..... 3,310
3.....	3,571	4,337.....	Conserv. maj..... 1,066
4.....	6,083	1,929.....	Radical maj..... 4,154
5.....	7,617	4,084.....	" "..... 3,533
6.....	5,391	4,857.....	" "..... 534
7.....	10,942	3,980.....	" "..... 6,962
8.....	7,601	6,069.....	" "..... 1,532
9.....	4,876	4,698.....	" "..... 178
Total.....	62,373	43,018	

Parker's majority for State superintendent of public schools exceeded 20,000.

In the month of August, the Governor, being apprehensive of disturbances at the polls (in which expectation he was happily disappointed), published a proclamation, declaring that the combined powers of the National and State Governments would be used to enforce obedience to the laws of the nation and the State, until such laws were repealed, or rendered inoperative by some court of competent jurisdiction. In this connection he directed that the annual enrolment of the militia should be made, and that the organization be effected without regard to the political status or opinions of townships and counties, and that the volunteer militia be merged in the general enrolment so made.

In order that an efficient militia organization might be raised, the Governor, in his succeeding annual message, recommended that the annual enrolment should be given up, as too expensive and unproductive of the results aimed at, and that a volunteer system should

be adopted, providing for the acceptance of a limited number of companies, the members of which, in consideration of performing certain military drills, musters, and encampments, and holding themselves ready to respond to any call of the Governor, or chief conservator of the peace of any city, or county, should be exempt from jury duty and poll-tax.

The finances of the State are in a prosperous condition. The receipts from all sources during the fiscal year, ending September 30, 1866, were larger than ever before in one year since the existence of the State government, being \$4,108,407.92. The total receipts into the revenue fund alone were \$1,414,093.73, being principally the amount of general State tax paid during the fiscal year. Of this sum \$750,100.24 were taxes of 1865, and the balance was almost entirely derived from arrears of taxes levied for previous years, but not collected till 1866. Out of this fund are paid all the expenses of the State government in its various branches, amounting for the last fiscal year to \$817,247.92. The total disbursements for that period were \$954,492.78. The balance in the treasury to the credit of the State interest fund, on October 1, 1866, was \$450,046.03, and to the credit of the sinking fund on the same date, \$9,694.96. There have also been paid into the treasury in bonds of the State and coupons up to and including January 1, 1867, the following:

From the sale of bank stock.....	\$1,178,635 50
On account of sales Southwest Pacific Railroad.....	321,850 00
On account of Platte County Railroad.....	153,020 00
On account of sale of Iron Mountain Railroad and Cairo and Fulton Railroad.....	225,000 00
Total.....	\$1,881,505 50

The taxable wealth of the State has grown from \$198,602,216 in 1863, and from \$262,354,932 in 1865, to a sum which, by means of the law establishing a State board for the equalization of taxes, passed in 1866, will reach the estimated sum of \$400,000,000. To complete the favorable aspect of the finances of Missouri, nothing is needed but the payment by the Federal Government of the money due to the State for expenses incurred in enrolling, equipping, and provisioning militia forces to aid in suppressing hostilities. The commissioners, appointed under an act of Congress, to adjust the claims, report that they amount to \$6,240,000. When this is paid, the Legislature will at once be enabled to relieve the people from the payment of any further military tax. The receipts from that tax into the Union military fund for the last fiscal year were \$871,249.05, of which \$654,746.76 were derived from the taxes of 1865, and the remainder from arrears of taxes. The whole of this sum is by law set apart for the redemption of Union military bonds. The aggregate redemption of these bonds, with interest from the creation of the fund by act of March 9, 1863, to September 30, 1866, amounts to \$1,750,054.06. Under these



encouraging circumstances the rate of taxation has been reduced from nine mills, in 1866, to three mills for 1867.

The railroad interests of the State are of great importance, and occupy a considerable space in the Governor's last annual message. Under the act of the Legislature, the Southwest Pacific Railroad was sold for \$1,300,000, of which amount the purchaser has paid into the State treasury \$325,000. Since the sale of the road it has become incorporated with the Atlantic and Pacific Railroad. The Platte County Railroad was duly advertised for sale; but before the day of sale arrived, the Western and Atchison, and Atchison and St. Joseph Railroad Companies, which, by the act of February, 1865, held the relation and rights of mortgagors to the road, paid into the State treasury the sum of \$100,000, due by the first section of that act on January 1, 1866, together with the interest due on the debt of the road to the State. Being advised that the other debt mentioned in the act was not so secured as to empower him to sell, the Governor gave up the possession of the road to the mortgagors, and they have entered upon the work of extending it. Further legislation will be required to enable the State to foreclose the mortgage, and sell the road for the payment of the existing debt. The Iron Mountain and Cairo and Fulton Railroads were sold for the aggregate sum of \$900,000, the purchasers agreeing to expend faithfully \$500,000 in the extension of the road within twelve months from the date of the purchase. The North Missouri Railroad, the Kansas City, Fort Scott, and Galveston Railroad, the Kansas City and Cameron Railroad, and the Osage Valley and Southern Kansas Railroad, are in various stages of progress, and, judging from present indications, will be energetically pushed to completion.

The national constitutional amendment was adopted by the Legislature early in January, 1867. In the House the vote stood, 85 to 34; and in the Senate, 17 to 7.

MONACO. (See EUROPE.)

MONTEAGLE, Rt. Hon. THOMAS SPRING-RICE, Lord, F. R. S., formerly Chancellor of the Exchequer, an eminent *savant*, born at Limerick, February 8, 1790; died at his seat, Mount Trenchard, near Limerick, February 7, 1866. He was educated at Trinity College, Cambridge, where he graduated in 1833; studied law, and in 1820 represented his native city in Parliament, in the Whig interest, until 1832, when he was chosen for Cambridge, and sat for that borough until his elevation to the peerage, in 1839. He was Under-Secretary for the Home Department in 1827, and held the Secretaryship of the Treasury from 1830 to 1834, when he was for a short time Secretary of State for the Colonies. The same year he was made a member of the Privy Council. On the return of Lord Melbourne's administration to office, in April, 1835, he was appointed Chancellor of the Exchequer, but resigned in 1839, and be-

came Comptroller-General of that department, and the same year was raised to the peerage. He frequently acted as a member of royal commissions on matters of taste and art, and bestowed much time and labor on the work of examining and reporting upon the decimal coinage question. He was a commissioner of the State Paper Office, a trustee of the National Gallery, a member of the Senate of the London University, and of the Queen's University in Ireland.

MOREHEAD, Hon. CHARLES S., formerly Governor of Kentucky, born in Nelson County, Ky., in 1802; died in Louisville, Ky., October 1, 1866. He was educated for the law, and after practising his profession for a few years, was elected to the State Legislature, serving through several terms, when, in 1832, he was appointed Attorney-General of the State, which office he held five years. In 1838 he was again returned to the Legislature, serving six terms, during three of which he was Speaker. From 1847 to 1851 he was a representative in Congress; was again chosen to the State Legislature in 1853, and in 1855 was elected Governor of Kentucky. After serving four years, he retired from public life until 1861, when he was a delegate to the Peace Convention held in Washington.

MOREHEAD, Hon. JOHN M., formerly Governor of North Carolina, born in that State about 1796; died at Rockbridge Alum Springs, Va., August 28, 1866. He was educated for the law, and was a successful and able advocate. He had early identified himself with the Whig party, and followed its noble and eloquent leader, Henry Clay. In 1840, he was the candidate of his party for Governor of North Carolina, and was elected by a handsome majority. He served as Governor from 1841 to 1845, but he was averse to public life, and held no other prominent appointment except that of President of the National Whig Convention in 1848, when General Zachary Taylor was nominated for the Presidency. For some years past he has been in failing health, and his death occurred at the Rockbridge Alum Springs, to which he had resorted in the vain hope of benefit.

MORISON, Sir ALEXANDER, Kn't, M. D., an eminent English physician, medical lecturer, and author, born at Anchorfield, May 1, 1779; died at Midlothian, N. B., March 14, 1866. He was educated at the High School of Edinburgh, and at the age of fifteen entered the University of Edinburgh. In 1798 he took the diploma of surgeon, and the following year obtained the degree of M. D. from that University. In 1801 he was elected Fellow of the Royal College of Physicians of Edinburgh, and in 1808, a licentiate of the Royal College of Physicians of London, but did not obtain the rank of Fellow thereof until 1841. In 1809 he was appointed medical superintendent of a private asylum for the insane in the county of Surrey. In 1816 he was Physician-in-Ordinary to her Royal



Highness, the Princess Charlotte Augusta, and after her marriage held the like office for her husband, Prince Leopold, and subsequently for the Duke of York. In 1827 he was made President of the Royal College of Physicians in Edinburgh, and in 1832 was appointed consulting physician to the Middlesex Asylum at Hanwell, and visiting physician to the Surrey County Asylum. The following year he commenced a course of lectures on mental diseases, in London, which course he delivered for many successive years. In 1835 he was appointed physician to the Royal Hospitals of Bethlehem and Bridewell, and consulting physician to several other asylums for the insane in different parts of England. In this department he was thoroughly enthusiastic, devoting a great deal of time and study to the improvement and management of the insane. After his retirement from active practice he lived chiefly near Balerno, in the parish of Currie. Sir Alexander's published works are numerous; among the most important may be mentioned, "The Physiognomy of Mental Diseases," "Reports of cases in Bethlehem Hospital," "Surrey Lunatic Asylum," etc., etc., and a series of interesting and valuable lectures on mental diseases.

MORRISON, WILLIAM, a Canadian fur-trader, interpreter, and explorer, born in Montreal, C. E., in 1785; died on Morrison's Island, August 7, 1866. In 1802 he commenced his apprenticeship with the N. Y. Fur Company at Fond-du-Lac, and was soon after admitted as a partner. During the years 1803-'15, he explored the entire region of the Northwest, and wintered at many important geographical points. In 1816 he took charge of John J. Astor's business, and remained with him until 1826, when he retired and went to Canada. He has since lived at Berthier. By an Indian wife he had two sons—the eldest of whom has passed a great portion of his life among the wilds of the Rocky Mountains, in Oregon, and California, and accompanied Colonel Fremont in his expedition. The other son is Register of Deeds at Lake Superior. Mr. Morrison's life has been an eventful one; but that which most of all will immortalize his name, is the fact of his being the first white man who discovered the sources of the Mississippi River. This honor has generally been awarded to Mr. Schoolcraft, but the justness of Mr. Morrison's claim is without doubt.

MORSE, Hon. ISAAC EDWARDS, an eminent lawyer, formerly member of Congress from New Orleans, born at Attakapas, Louisiana, May 22, 1809; died in New Orleans, February 11, 1866. His early education was obtained in New Orleans and Middletown, Conn., and subsequently in the Military Academy at Norwich, Vt. In the autumn of 1828 he entered the senior class at Harvard College. Here he at once arrested attention by his striking qualities and his abounding humor. On leaving college he carried with him the kind regards of all. He engaged in the study of law at New Orleans,

and afterward travelled in Europe. On his return he soon emerged in political life, first as a member of the State Senate, then in the Congress of the United States, serving from 1843 to 1851. He was subsequently Attorney-General of the State, and during the administration of President Pierce was a minister to one of the South American States. In all these stations, as well as in his relations, professional, political, and social, he discharged his duties with faithfulness and integrity. He followed the fortunes of his State in her secession from the Union, though the kindly instincts of his nature forbade the harboring of those bitter feelings toward the North in which many of his section indulged.

MUNROE, Rev. NATHAN, a Congregational clergyman and author, born in Minot (now Auburn), Me., March 16, 1804; died at Bradford, Mass., July 8, 1866. His early studies were prosecuted at Gorham, Maine, and in 1830 he graduated at Bowdoin College, with the highest honors of his class. He studied theology at Andover, and was licensed to preach by Woburn Association, April, 1834. For six months following, he occupied the post of Principal of Delaware College with the highest acceptability. But ill-health, that blight upon most of his after labors, compelled him to retire from the institution, and from a career of study and attainment for which he had given the highest promise.

In 1836, he was ordained pastor of the First church, Bradford, and for some years labored with unusual ability and success. But failing strength again slackened his pace, and finally compelled him to resign his charge in May, 1853, after which he spent four or five years as New-England Secretary of the American Sunday School Union. From this position also he was compelled by failure of health to retire; after which his fine literary abilities were brought into employ as one of the editors of the *Boston Recorder*, and as the Boston correspondent of *The Evangelist*. The last three years of his life were employed in efforts for enlarging the plans, the funds and influences of Bradford Academy, and thus advancing the great work of religious education. Mr. Munroe was a great lover of books and had gathered a library of more than six thousand volumes, many of them of rare editions and value.

MUZZEY, REUBEN D., M. D., an eminent American surgeon and author, born in Pelham, N. H., in 1780; died in Boston, June 21, 1866. He was the son of a country physician and farmer, and assisted his father in his double capacity until twenty-one years of age. In 1803, he graduated at Dartmouth College, and in 1809, having received the degree of M. D. from the University Medical School of Philadelphia, he went to Salem, Mass., and practised his profession successfully till 1814. He then accepted the position of professor of the theory and practice of physic at Dartmouth, retaining it till 1819, when he was transferred to the professorship of anatomy and surgery. The



cold climate of New-England proving too severe for his health, he went to Cincinnati in 1838, and for fourteen years filled the place of Professor of Surgery in the Ohio Medical College in that city. He resigned this post in 1852, and became Professor of Surgery in the Miami Medical College, discharging the duties of this position till 1860, when he went to Boston to superintend the publication of his well-known volume, "Health—its Friends and its Foes," taking up his abode with some of his children who were living there. He was an earnest and laborious student of his profession, in which he made some important discoveries. While a student in Philadelphia, he subjected himself to an experiment which demonstrated the incorrectness of Dr. Rush's theory that the human skin had no power of absorption. But his discoveries and achievements were not confined to his youth. In 1830, he proved what Sir Astley Cooper had said was impossible, that intra-capsular fractures could be united. He

was the first person to tie both carotid arteries, and gained success on more than one occasion. He operated, with equally happy results, in a case of that rare and frightful disease, hypertrophied tongue. In 1837, he removed the entire shoulder-blade and collar-bone of a patient who was suffering from osteo sarcoma, the first operation of the kind on record. The patient is still living. Out of forty-nine operations in lithotomy, only four were followed by the death of the subjects. He relieved strangulated hernia in thirty-two out of forty cases. Many other instances of his remarkable skill might be enumerated, but the foregoing must suffice. Dr. Muzzey was early a laborer in the temperance cause, and applied the same principles which induced him to discourage the use of wines and spirits, to articles of diet. For a long period he drank nothing but water, and abstained from animal food. He was a man of large liberality, and gave freely of his professional services to the poor and helpless.

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NASSAU, until 1866, a German duchy, with an area of 1,802 English square miles, and a population of 468,311. In the German-Italian war Nassau took sides against Prussia, which, consequently, conquered the duchy, and by virtue of a patent, dated September 20, 1866, annexed it to Prussia. On October 8th, the duchy was formally taken possession of by the Prussian authority.

NAVY, UNITED STATES. The attention and efforts of the Naval Department of the Government during the year were given to the reduction of the navy from the war standard, and to organize and establish efficient squadrons abroad. At the close of the year the number of vessels in commission was one hundred and fifteen, carrying one thousand and twenty-nine guns. Of the remaining vessels there were:

	Number.	Guns.
Iron-clads laid up.....	54	147
“ not completed.....	7	40
Steam vessels not completed.....	19	386
Sailing “ “.....	2	
Wooden vessels on hand.....	81	749
	<hr/> 163	<hr/> 1,322

The number of seamen in the service is about 13,600.

The several squadrons, by which the active service is done, are as follows: European, Asiatic, North Atlantic, Gulf, South Atlantic, North Pacific, and South Pacific.

The European squadron, under the command of Rear-Admiral Goldsborough, consists of ten vessels, carrying 113 guns. The limits of this squadron embrace the Mediterranean, the western coast of Europe, and Africa, as far south as St. Paul de Loando. These vessels have been almost constantly cruising and have visited the principal ports of the Baltic and the Mediter-

anean and those on the Atlantic. The iron-clad Miantonomah was sent out to join this squadron and made the bearer of the messenger conveying the resolution of Congress congratulating the Emperor of Russia on his escape from assassination. For this purpose this vessel visited the Baltic and its officers were received in the most flattering manner, especially in Russia.

The Asiatic squadron is limited to the eastern coast of Africa, Asia, and the islands which stud the seas and oceans eastward of the Cape of Good Hope. This squadron is commanded by Rear-Admiral H. H. Bell. It consists of eight vessels carrying 78 guns. The commander of the squadron has been authorized to act in concert with the naval commanders of other nations in the suppression of the piratical depredations on the coast of China. These depredators seek shelter in among the shoaled and most intricate waters. A class of smaller vessels is soon to reinforce this squadron, suitable to penetrate those shallow waters.

The North Atlantic squadron consists of fifteen vessels, carrying 135 guns, under the command of Rear-Admiral Palmer. It is limited to the Atlantic coast and the West India islands.

The Gulf squadron consists of ten vessels, carrying 71 guns, under the command of Commodore John A. Winslow. The vessels have patrolled the Gulf of Mexico, and repeatedly visited all the ports on the coast, from Key West to the Rio Grande, and also the north side of Cuba.

The South Atlantic squadron, which embraces the southeastern coast of South America and the west coast of Africa, from the Cape of Good Hope to St. Paul de Loando, is commanded by Rear-Admiral Gordon. It consists



of eight vessels, carrying 75 guns. But one slaver has been fitted out on the coast of Africa during the year, and she was captured on the coast of Cuba with her cargo. It was the opinion of prominent officials at Loando, that the slave trade had expired. The duties of the former African squadron have been performed by the South Atlantic.

The North Pacific squadron consists of ten vessels, carrying 122 guns. It is limited to the coast of North America and the Sandwich Islands, and is under the command of Rear-Admiral Thatcher.

The South Pacific squadron consists of seven vessels, carrying 67 guns, and has been under the command of Rear-Admiral Pearson. Its limits extend from Panama to Cape Horn and include Australia.

The Naval Academy has been reestablished at Annapolis with some enlargement of the grounds and important improvements. The apprentice system, authorized by act of Congress in 1837, has been revived, and promises encouraging results.

The available resources of the department for the fiscal year, ending June 30, 1866, were \$142,291,919, and the expenditures \$43,324,526, leaving a balance of \$98,967,392, to which there have been appropriations.

The effect of the war has been to exhaust the supplies of timber at the different navy yards, and the Secretary urges that an abundance should be obtained, so that in future emergencies the difficulties and embarrassments recently experienced, may be avoided. No preparations exist for the construction of iron and armored vessels, although the material exists in great abundance. Wars in the future for the supremacy on the ocean will chiefly be determined by iron-clad or armored ships. While the American turreted vessels or monitors will be effective for harbor defence, yet in a conflict with a foreign power they would not serve for offence. Armored vessels, for ocean cruising, must necessarily be of large size, which can not, with the requisite strength, be secured in wooden structures. If attempted, the immense mass of timber must rapidly decay, and the cost, resulting from deterioration, will be such as no economical and prudent nation will consent to sustain. The Secretary of the Navy urges the Government to erect its own shops and machinery, and to possess its own establishments for the construction of its iron and armored vessels. Several years of preparation will be required to provide the necessary appliances for such an establishment. The navy yards of Norfolk and Pensacola have been occupied as naval stations since the Government recovered possession, and some repairs have been made at each, but the dilapidated walls and remnants of the former establishments remain in a condition which renders them scarcely fit for occupancy or use. At Pensacola only a few out-buildings and stables escaped destruction. These are now converted into temporary quarters for

the officers on that station. The Government has no depot or station for the iron and armored naval vessels. Most of them have been permitted to remain in the back channel of League Island in the Delaware, where they were placed at the close of the war, as the most available location for their security and preservation.

The changes which have taken place within a few years, both in the character of vessels and guns, have raised many questions as to the most effective means and the best manner of using those means for harbor defence. They embrace the consideration of the value of iron-clad vessels, of channel obstructions, and of torpedoes as means of defence. By the Secretary of the Navy, the suggestion was made to the Secretary of War, that a joint army and navy board should be organized for the consideration of these questions, and the adoption of some general principles concerning them; more particularly the extent to which each or all of the means suggested could be advantageously used, the best form of iron-clad vessels, the character of the obstructions, and of torpedoes, also to what department the preparation of these defensive means properly belonged and which should control their use. The Secretary of War concurred, and a board was organized consisting of Rear Admirals C. A. Davis, J. A. Dahlgren, and Com. Alden, of the navy, and Maj.-Gen. J. G. Barnard, Brig.-Gen. Z. B. Tower, and B. S. Alexander, of the army. A preliminary report was made, in which the board advocated the importance of having always on hand a number of iron-clad vessels at each of the great commercial cities, and within the waters of the exterior bays; but without farther information, both as to the offensive and defensive capacities of the forts, and also of the iron-clads, the board was unable to specify the requisite number, or to define precisely the part they should perform in the defence of harbors, especially as that would depend on the degree of success which might be attained in a well-devised system of channel obstructions. On the subject of channel obstructions, a plan submitted by one of their number was favorably received by the board, who recommended that it should be tested experimentally, but such a test would have involved a large expenditure of money, for which there was no adequate appropriation. The board also recommended some general experiments to be made under their direction for ascertaining and settling certain general principles concerning the effect of torpedoes. Being convinced that preliminary experiments were necessary before any definite conclusions on the points submitted could be reached, the board was dissolved by the department.

From some tables of the casualties in the navy during the war, it appears that the number of persons wounded during this period was 4,030, of which 3,266 were from gunpowder, 456 were scalded in battle, and 308 drowned in



battle. The casualties during the same time, not connected with battle, were 2,070.

The Monitor "Miantonomoh" in her trip across the Atlantic Ocean, steamed from St.

Johns, Newfoundland, to Queenstown, Ireland. The following is an extract from a journal of her passage:

DATE, JUNE, 1866.	Distance.—Knots.	Average revolutions of engine.	Average steam pressure.	Coal expended in tons.	Condition of the Sea.	Extreme roll.	TEMPERATURE.										
							Deck.		Cabin.	Ward room.	Berth deck.		Eng. room.	Fire room.	Water.		
							Noon.	Midnight.							Noon.	Midnight.	Nine A. M.
Tuesday, 5th.....			Lbs.	9.5	Smooth.	Deg.	..	32	65	67	..	..	..	..	..	..	41
Wednesday, 6th.....	80	58.8	17	17.8	Smooth.	1	48	38	67	68	62	..	62	61	97	108	39 38
Thursday, 7th.....	145	54.6	20	24.1	Heavy.	4	46	40	68	68	60	65	68	66	96	106	41 41
Friday, 8th .....	150	60.0	20	28.7	Long heavy swell from Northward.	3	50	50	65	67	65	62	64	74	94	113	46 55
Saturday, 9th.....	155	56.9	17.8	22.1	“	5	62	52	67	68	68	66	68	68	94	114	55 57
Sunday, 10th.....	149	59.5	14.5	21.5	Mod. Northerly swell.	4	58	65	64	65	65	66	70	72	95	109	54 53
Monday, 11th.....	180	55.7	14.9	24.0	“	4	56	54	62	64	66	69	72	72	98	110	55 52
Tuesday, 12th.....	163	58.0	14.0	25.6	Swell Northerly, W. S. W. crossing.	5	63	63	63	63	66	72	73	72	99	110	56 56
Wednesday, 13th.....	182	57.3	18.0	25.0	“	5½	57	59	65	68	72	70	73	72	100	110	57 56
Thursday, 14th .....	172	61.2	19.5	28.0	Heavy swell from Northw'd and Westw'd	5½	66	64	66	67	68	70	72	73	103	109	57 56
Friday, 15th.....	182	61.2	20.0	30.05		4	64	..	67	70	70	68	72	71	105	115	56 52
Saturday, 16th.....	171	67.8	26.0	35.00		3	..	..	67	..	..	..	..	..	112	..	56 ..
Draught of water: Forward, 15 feet 4 inches; Aft, 15 feet 2 inches; Forward and aft, 2 feet 8 inches; Amid., 2 feet.																	

Draught of water: Forward, 15 feet 4 inches; Aft, 15 feet 2 inches; Forward and aft, 2 feet 8 inches; Amid., 2 feet.

Assistant Secretary of the Navy, Fox, in his official report of her passage, says:

The facts with regard to the behavior of this vessel in a moderate gale of wind and heavy sea, when a frigate would find it impossible to use her battery, are as follows: Head to the sea, she takes over about four feet of solid water, which is broken as it sweeps along the deck, and after reaching the turret it is too much spent to prevent firing the 15-inch guns directly ahead. Broadside to the sea, either moving along or stopped, her lee guns can always be worked without difficulty, the water which passes across the deck, from windward, being divided by the turrets, and her extreme roll so moderate as not to press her lee guns near the water. Lying in the same position, the 15-inch guns can be fired directly astern without interference from water, and, when stern to the sea, the water which comes on board is broken up in the same manner as when going head to it. In the trough of the sea her ports will be liable to be flooded, if required to use her guns to windward. This, therefore, would be the position selected by an antagonist who designed to fight a monitor in a seaway. An ordinary vessel, high out of water and lying in the trough of the sea broadside to, is attacked by a wave which climbs up the side, heels her to leeward, and passing underneath assists in throwing her back to windward, when another wave is met and the heavy lee lurch repeated. A wave advancing upon a monitor, in a similar position, finds no side above the water to act against; it therefore climbs aboard without difficulty, heels the vessel a few degrees to windward, and passes quickly to leeward, underneath.—The water which has got on board, having no support to push it on, and an inclined deck to ascend, becomes broken water; a small portion going across the deck and off to leeward, but the largest part tumbling back to windward, overboard, without sending against the turret anything like the quantity which first got on deck. The turret guns thus occupy a central position, when, notwithstanding the lowness of the vessel's hull, they are more easily and safely handled in a seaway, than guns of the same height above the water in a broadside vessel. The axis of the bore of the 15-inch guns of this vessel is 6½ feet above the

water, and the extreme lurch, observed when lying broadside to a heavy sea and moderate gale, was 7° to windward and 4° to leeward, mean 5½°, while the average roll at the same time of the Augusta, a remarkably steady ship, was 18°, and the Ashuelot 25°, both vessels being steadied by sail.

A vessel which attacks a monitor in a seaway, must approach very close, to have any chance of hitting such a low hull, and even then the monitor is half the time covered up by three or four feet of water, protecting herself and disturbing her opponent's fire.

From these facts, not unknown to monitor men, and the experience we have derived from the use of such vessels during the war, we may safely conclude that the monitor type of iron-clads is superior to the broadside, not only for fighting purposes at sea, but also for cruising. A properly constructed monitor possessing all the requirements of a cruiser, ought to have but one turret, armed with not less than 20-inch guns, two independent propellers, the usual proportion of sail, and constructed of iron.

The comforts of this monitor to the officers and men are superior to those of any other class of vessels in the Navy.

On December 16th, the frigate Ironsides, well known for her services in Charleston harbor during the war, was entirely destroyed by fire at League Island, in the Delaware River.

Perhaps it may not be out of place to mention here that a race of private yachts, from New York to the Isle of Wight, was contested for a stake of \$90,000. The yachts Henrietta, Fleetwing, and Vesta, sailed from New York at 1 P. M., on December 11th. The Henrietta entered the harbor of Cowes about noon, December 25th, having made the passage in thirteen days, twenty-two hours and forty-six minutes. The Fleetwing came in a few hours later, and the Vesta on the next morning.

NEALE, JOHN MASON, D. D., a distinguished Anglican clergyman, poet, hymnologist, linguist, and author, born in London, January 24,



1818; died at Sackville College, East Grinstead, August 6, 1866. He was a son of Rev. Cornelius Neale, Fellow of St. John's College, Cambridge, and early showed signs of literary tastes and powers, and a remarkable facility for acquiring languages, which he inherited from his maternal grandfather, Dr. John Mason Good. At ten years of age, he attempted the composition of a tragedy, in the preparation of which he read through the tragedies of Seneca. Losing his father early, his mother had the sole direction of his studies, and after a careful course of training he entered Trinity College, Cambridge, in 1836, where he at once took a high stand in scholarship. He won the Members prize of 1839; was appointed fellow and tutor of Downing College, and shortly afterward commenced his series of victorious struggles for the Seatonian prize, which he won eleven times. His Cambridge career, however, is most noteworthy for the foundation of the *Ecclesiological*, then known as the Cambridge Camden Society, and which, in connection with a few others, he projected. To the *Ecclesiologist* he was a constant contributor from its first appearance. In May 1842, he was ordained priest, and soon after was presented to the incumbency of Crawley, in Sussex. Alarming symptoms of pulmonary disease manifesting themselves, he was induced to repair to Madeira, where he remained some time, studying much in the library of Funchal Cathedral. In 1844 he returned to England, and subsequently was made warden of Sackville College, East Grinstead. In 1856 he removed thither the headquarters of a sisterhood which he had the year before established at Rotherfield, making nursing the sick in their own homes one of its characteristics. Often the care of whole villages desolated by epidemics fell upon them. Soon he added an orphanage and schools, and even a reformatory, but was compelled to abandon the latter because of scandal originating in the jealousies and suspicions of the ignorant. These he bore with patience and uncomplaining sweetness, still prosecuting as far as possible his noble work, and accomplishing results which must have exceeded his most sanguine hopes. His last public act was to lay the foundation of the new convent for the sisters in 1865, a favorite scheme for years. During the twenty years spent in East Grinstead, Dr. Neale prepared seventy works for the press, among which may be mentioned, "Ayton Priory," "Shepperton Manor," and "Agnes de Tracey," all High Church novels; for children he wrote, "Church History," "Histories of Greece," and "Portugal," "Stories of the Crusades," and of the "Heathen Mythology," and "Tales of Christian Heroism." His most scholarly work, and the one that has made his name best known in foreign countries, is the "History of the Eastern Church, of the Patriarchate of Alexandria, and of the Jansenist Church of Holland." Dr. Neale's adaptations of old English Church music are well

known to all sections of the English Protestant Church; and for his admirable translations of the old Latin hymns, "Jerusalem the Golden," "Brief Life is Here our Portion," and many others, he will long be remembered by all interested in church music. In 1860 a part of his Commentary on the Psalms was given to the world, and more is now ready for publication. He received his degree of D. D. from Trinity College, Hartford, Conn., U. S., in 1861.

NETHERLANDS, THE, a Kingdom in Europe. King, William III.; born February 19, 1817; succeeded his father on March 17, 1819. Heir-apparent, Prince William; born September 4, 1840. Area, 10,909 square miles. The population, in 1866, was 3,529,108, or, with that of Luxemburg, 3,735,682—distributed among the provinces as follows:

North Holland.....	566,474
South ".....	672,367
Zealand.....	176,169
Utrecht.....	172,787
Guelderland.....	427,753
Overyssel.....	
Dreuthe.....	250,358
Groningen.....	224,237
Friesland.....	288,949
North Brabant.....	423,421
Limburg.....	222,579
Total.....	3,529,108
Grand-duchy of Luxemburg.....	206,574
	3,735,682

The population of the largest cities was as follows: Amsterdam, 262,691; Rotterdam, 115,354; Hague, 87,319. The colonial possessions of the Netherlands contain the following population: East Indies (1864), 19,452,207; West Indies (1864), 86,703; Guinea (1863), about 120,000.

The budget for 1866 estimates the expenditures at 110,229,003 guilders, and the revenue at 110,249,838 guilders. The public debt amounted, in 1866, to 981,489,581 guilders. The budget for the East Indies showed, in 1864, a surplus of 4,906,130 guilders.

The army consisted, in 1866, of 1,837 officers and 59,249 men. The East India army numbered, in 1864, 23,432 infantry, 2,721 artillery, 557 cavalry, 907 engineers, 1,246 officers; total, 27,617. The fleet, in 1866, consisted of 146 vessels, carrying 2,166 guns. The marine troops numbered 5,743 men, exclusive of 800 native East Indians.

The value of imports amounted, in 1864, to 474,337,773 guilders (from the United States, 6,711,724); the exports, to 433,416,570 guilders (to the United States 4,204,817). The movement of shipping was as follows:

YEAR.	ENTERED.		CLEARED.	
	Vessels.	Tonnage.	Vessels.	Tonnage.
1863.....	8,394	1,662,291	8,613	1,740,337
1864.....	8,561	1,797,314	8,624	1,842,036
Increase in 1864.	167	135,023	11	101,699

The merchant navy consisted, in December,



1864, of 2,227 vessels, of an aggregate tonnage of 513,089.

The connection of the Duchy of Limburg and the Grand-duchy of Luxemburg with the States of Germany ceased, in 1866, in consequence of the dissolution of the German Confederation. Prussia, in reorganizing the North German Confederation, consented to the entire and permanent separation of Limburg from the new German Confederation. As regards Luxemburg, the regulation of its relations to Prussia and North Germany was reserved for future negotiations. For the present, Prussia claimed and continued to exercise the right of garrisoning the previously federal fortress of Luxemburg.

A serious conflict arose, in 1866, between the Government and the liberal majority of the Legislature, concerning the administration of Java, the largest and most prosperous of the colonial possessions of the Netherlands.

Java, an old Portuguese and substantially a Dutch colony, came into the hands of the English in 1811, and only fell back to the Netherlands by an act of spontaneous cession five years later. The Javanese, a Malay race, were civilized at the time of the first Portuguese settlement in 1511, and by the advanced state of their agricultural industry, aided by the most perfect system of irrigation, they had made their land the granary of the Archipelago. The Dutch, who, previous to 1811, had only some settlements on the island, had introduced forced labor in their plantations; but their "peculiar institutions" were abolished during the English occupation, and not restored for several years after the reinstalment of the Netherlands rule. One of the governor-generals of the Dutch East Indies, however, by name Von den Bosch, effected a revolution on a large scale in the island, appropriated all such soil as could best be turned to the production of sugar, coffee, indigo, &c., and, by means of compulsory labor, changed the whole aspect and economy of the land. The results of these measures, it is stated, were a rise in the revenue to a sum of £4,000,000 yearly, and an increase of the population from 5,000,000, in 1816, to 13,649,680, in 1863. The population of Java, with all its increase, is, however, only about half the density of that of Lower Bengal, and as to trade, while the joint imports and exports, not only of Java, but of all the Dutch islands in those Eastern Seas, are valued at about £13,000,000, they are exceeded by £2,000,000 by those of the three little British districts in the Straits of Malacca, the two principal of which were uninhabited eighty years ago. That, with all the wealth they accumulate for their task-masters, the Javanese laborers do not greatly improve their own position, one might feel tempted to infer from the fact that the price of corn has, during the last sixty years, risen two hundred per cent.

The forced labor system, though yielding a considerable annual income to the home Govern-

ment, has long been stigmatized by the liberal party of Holland as unmitigated servitude. After the abolition of negro slavery in the Dutch West Indies, in 1862-'63, the Liberals wished to proceed to a similar measure in behalf of their eastern possessions. A bill for the abolition of the system of forced labor in these colonies was, in 1865, brought into the Dutch Parliament, but was rejected, as fraught with utter ruin to the colonies themselves, no less than to the mother country. More lately the Government filled the measure of popular discontent by the appointment to the office of Governor-General of the East Indian possessions, the highest office in the Crown's gift, of a man formerly well-known for his leaning to the principles of free trade and free labor, but who had abandoned his principles and deserted from his party. A vote of censure was passed in both houses against the ministers who had advised the nomination of the obnoxious governor. The king retorted by the dissolution of the Second Chamber, and by issuing a proclamation, in which the people were urged to choose, at the new election on October 31st, supporters of the Government. The following is the text of the proclamation :

We, William III., by the grace of God, King of the Netherlands, Prince of Orange, Nassau, Grand Duke of Luxemburg, etc., etc.

Beloved countrymen and subjects: I have thought it necessary, in accordance with my constitutional rights, to dissolve the Second Chamber of the States General. If our beloved country is to continue in the uninterrupted enjoyment of order and unity, and thereby, under the blessing of God, of peace and prosperity, it is necessary for the government to be the centre to which the looks of the people can be directed with confidence. No government can fulfil this condition if the good understanding be wanting, the absence of which renders impossible the harmonious coöperation of the constitutional authorities, so indispensable for the interests of the national cause. The experience of recent times has convincingly proved that this understanding and coöperation cannot be obtained with the elements of which the Second Chamber of the States General was lately composed. The continual changing of my responsible advisers would gradually become pernicious to the moral and material well-being of the nation, by crippling the powers of government. Steadiness of aim, on the contrary, increases the powers of the administration and of the executive. In order to attain this end, I call now on my beloved people to make their wishes known. Inhabitants of the Netherlands, consider the 30th of October next as an important day in your national existence. Your king invites all of you, to whom the law gives the right to vote, to proceed to the ballot. Let your faithful attendance show that you value his appeal.

Given at Loo, this 10th day of October, 1866.

WILLIAM.

The result of the election held on October 31st was a slight loss on the part of the Liberals, who, however, retained a small majority of the Second Chamber. The Chambers were opened on November 19th, by a ministerial commission acting on behalf of the king. The speech from the throne was delivered by the Minister of Justice. In adverting to the dissolution of the Second Chamber, he said: "The king and the



ministers hope that after the last decision of the electors, the people, the government, and the representatives, will vie with each other in fulfilling the constitutional task, the object of which is to insure the happiness of the country." The minister announced the intention of the government to present bills to the Chambers on various matters of public interest, and, before all, the budget. In conclusion, he said: "I hope that our common efforts will be characterized by reciprocal confidence, mutual forbearance in debate, and the strict and loyal observance of the constitution."

The relations of the Netherlands to foreign powers were amicable; but with Belgium a difficulty arose concerning the navigation of the river Scheldt. The settlement of this difficulty is of general interest, as it has a direct bearing upon the international law of the navigation of tidal rivers. The difficulty between Belgium and Holland is in regard to the outlet of the Scheldt. Antwerp, the chief mercantile city of Belgium, stands on the Scheldt, which is its channel of approach from the sea. But it so happens that a few miles below Antwerp it quits Belgian territory, and for the rest of its course passes through that of Holland. The great volume of its waters reaches the ocean through the main channel—the Western Scheldt, as it is called; but it also, to some extent, has outlets through the Eastern Scheldt, which separates the province of South Beveland from North Brabant, and the Sloe, which divides South Beveland from Walcheren. The chief town of this last is Flushing, a place of little moment, except from a military point of view. Either for the purpose of increasing the commerce of Flushing, or for the purpose of placing its garrison in closer communication with the capital, the Dutch Government has resolved to connect this little place by railway with Bergen-op-Zoom. The execution, however, of such a public work necessitates interference with the channels of the Sloe and the Eastern Scheldt; for, although a passage through both channels will of course be left open, yet the present width of them at the points of intersection will be considerably diminished by embanking. The Belgian Government maintains that thus the tidal scour of the main channel, or Western Scheldt, will be interfered with, and the navigation to and from Antwerp be impeded, or, it may be, rendered altogether impracticable; and it therefore insists that either the railway scheme be abandoned, or that it be carried out in such a way as to leave undiminished the rush of water through the two minor channels. The law involved in the question is sufficiently simple. The general principles that ought to regulate the operations of two countries in regard to a navigable river whose course is through the territory of both, were enumerated in the final act of the Congress of Vienna, in certain articles drafted by the Baron William von Humboldt, than whom no one could have been more com-

petent. And they were these—that the navigation of such a river was to be regarded as free from the point where it commenced to the sea; and, consequently, that, while the sovereign rights of each country were to remain intact, yet neither could be allowed so to operate upon that part of the river passing through its territory as to impede or prevent the freedom of navigation. This declaration was approved and expressly adopted in the Treaty of London of 1839, whereby Holland and Belgium arranged the question consequent upon their separation. Not only so, but those principles were thereby applied in particular and in more detail to the Scheldt; for it was stipulated that its main channel should be maintained in a navigable condition for vessels passing between Antwerp and the ocean, while its other outlets were also to be kept open by Holland so far as necessary for navigation between Antwerp and the Rhine. The real question at issue between the two governments has reference solely to the effect the proposed embankments in the Eastern Scheldt and the Sloe will have upon the fair-way of the main outlet of the river. The Belgian Government contends that these embankments will interfere with the tidal scour in the Western Scheldt, and cause the silting-up of the river. This the Government of Holland denies. The dispute is essentially one of opinion—an engineering disagreement. If the view maintained by Belgium be correct, then a perseverance by Holland in the course she contemplates would be a breach of treaty engagements—a contravention of the recognized principles of fluvial international law, which it would be incumbent upon the Great Powers to prevent. In accordance with a proposition made by the English Government, Holland and Belgium agreed that an international commission of engineers, named by Great Britain, France, and Prussia, visit the localities, and report upon the probable effect of the operations contemplated by Holland, and to what extent, if at all, they may be expected to impede the navigation of the lower Scheldt, as dreaded by Belgium. The two powers at issue undertook to render the commissioners every facility for arriving at a well-grounded judgment in the matter, without, however, pledging themselves to shape their respective courses of action in accordance with the views that these commissioners might take. They did not accept the arbitration of Britain, France, and Prussia. The intervening powers, in their turn, merely desired to come in possession of such information, from impartial and thoroughly-competent sources, as might enable them to decide what hereafter shall be their line of action, should the misunderstanding not be amicably removed.

NEW GRANADA. (*See* COLOMBIA, UNITED STATES OF.)

NEVADA. Since her admission as a State, Nevada has made great progress in the discovery and development of her mineral wealth and other resources. Visionary schemes of specu-



lation which well nigh ruined the legitimate business of the people, have given place to more healthy and permanent pursuits, and at the present time all departments of labor are conducted with a degree of system, economy and profit. A conviction exists, that development alone will insure wealth in mining pursuits, and that there is a permanence and value in the mineral wealth of the State. Mining has become systematized; science and invention have been brought to the aid of labor, and a pursuit once considered speculative and hazardous, has become legitimate and profitable. During the year 1866, much larger quantities of the precious metals were taken from the older mines than in the preceding year, and the developments made in new districts proved much more satisfactory. The agricultural lands are gradually becoming occupied and cultivated, but the most indispensable necessity for the State is railroad communication. The Central Pacific from the west, and the Union Pacific from the east are, however, rapidly approaching. The former is expected to be completed some twenty miles within the border of the State during the summer of 1867. This will afford a speedy transportation to and from tide water. The progress of the Union Pacific has already greatly shortened the time of transportation to the Atlantic States, but it is expected three years more will be necessary for its completion. The Governor (Blaisdell), sent a message to the Legislature soon after the close of the year, in which he thus speaks of national affairs:

In this connection I can but justify and commend the action and the policy of the late Congress, while I regretfully disapprove that of the President. The former, prompted by a spirit of fidelity to principle and patriotic devotion to the whole country, earnestly endeavored to reunite it upon terms just and equitable to all. The latter, seeming to forget that Congress were the immediate representative of the people, having the right to devise and adopt measures other than such as he might originate or personally approve, vainly endeavored to thwart the will of the people by the immediate restoration of treason to power, without the exaction of sufficient guaranties for the future security of the Republic. But Congress, with firmness, maintained its legitimate prerogative, carried out its policy to the extent of its authority, and the results of the recent elections show that the people—the final arbiters between them—have decided against the theories of the President and ratified the views of Congress.

By an act of Congress approved May 5, 1866, the limits of the State were extended so as to include all that extent of territory bounded by a line commencing on the thirty-seventh degree of north latitude at the thirty-seventh degree of longitude west from Washington, and running thence south on said degree of longitude to the middle of the river Colorado of the west; thence down the middle of the river to the eastern boundary of the State of California; thence northwesterly along the boundary of California to the thirty-seventh degree of north latitude, and thence east along the degree to the point of beginning.

An election for State officers and members

of the Legislature was held in November, at which the total vote cast was 9,162; of which Blaisdel, the Republican candidate for Governor received 5,126, and Winters the Conservative candidate, 4,036. The Republicans have a large majority in each branch of the Legislature. The receipts of the State treasury during the fiscal year, were \$425,000, and the disbursements, \$320,000. The total debt is \$278,000. At the session of the Legislature commencing in January, 1867, the amendment of the Federal Constitution forming article 14, was passed by the lower House; ayes 34, nays 4.

The bullion shipped from Virginia and Gold Hill, by express in 1866, exceeded the amount of the previous year, \$2,074,174, and was for each month as follows:

	From Gold Hill.	From Virginia.	Totals.
January ..	\$432,044 28	\$520,177 20	\$952,221 48
February..	475,491 68	492,322 91	968,814 54
March.....	490,123 89	705,210 33	1,195,334 22
April.....	413,196 17	646,987 51	1,060,164 68
May.....	562,074 83	648,476 71	1,210,851 54
June.....	673,111 40	562,938 70	1,236,050 10
July.....	673,385 93	595,503 77	1,268,889 70
August ...	672,690 14	779,276 50	1,451,966 73
September	700,940 36	643,963 97	1,344,904 30
October...	726,464 08	686,517 23	1,412,981 31
November..	613,779 62	739,512 80	1,353,291 92
December..	666,984 70	786,438 96	1,453,423 66
Total...	7,100,268 00	7,807,626 18	14,907,894 18

The amount shipped during the same time from Carson City was \$341,366; from Reese River, \$400,587; from Aurora, \$171,534; sent otherwise than by express, \$350,000; making the total shipment for 1866, amount to \$16,171,381. The bullion product and dividends of some of the mines during the year were as follows:

	Bullion product.	Dividends.
Crown Point.....	\$1,313,357	\$234,000
Empire M. & M. Co.....	486,778	32,400
Gould & Curry.....	1,605,228	352,000
Hale & Norcross.....	1,199,768	350,000
Imperial.....	910,187	176,000
Ophir.....	450,000	.....
Overman.....	27,953	.....
Savage.....	1,805,800	300,000
Yellow Jacket.....	2,310,000	390,000

**NEW HAMPSHIRE.** The Republican State Convention met at Concord on January 3d, and unanimously adopted the following resolutions:

*Resolved*, By the Union Republicans of New Hampshire, in convention assembled, That we rejoice with great joy that the dark cloud of war no longer overshadows our land, that the old flag of the Union again floats over every foot of the national territory, from the Atlantic to the Pacific, and from the Lakes to the Gulf of Mexico, without anywhere smiling upon a master or frowning upon a slave; and we reverently thank the Almighty Ruler of the world that a most gigantic and wicked rebellion, to perpetuate and strengthen human bondage, has been overruled to the establishment of universal liberty.



*Resolved*, That in this hour of national congratulation over a united country, and a constitution free from the leprosy of slavery, we express our profound sorrow for the death of our late beloved President, Abraham Lincoln, to whose patriotism, honesty of purpose, and unswerving fidelity to a great principle, we feel largely indebted for the triumph achieved, and a whole race made free. A continent saved to liberty will make his memory immortal.

*Resolved*, That New Hampshire is justly proud of the gallantry and heroism of her brave sons who went forth to give their strength and their lives in defence of the Union and liberty; we owe it to ourselves and to them to maintain and embody in our Government the great principles for which they battled and so many of them fell.

*Resolved*, That while we rejoice that chattel slavery no longer receives the sanction of law or constitution in our broad domain of the American Union, we cannot be blind to the fact that many of the States lately in rebellion have already adopted codes manifestly tending to the reestablishment of other forms of "involuntary servitude," little less oppressive than that which has just been abolished. It is the sacred duty of the President, and of Congress, to see that the ordinance of universal emancipation, written in the blood of our brothers and sons, be not by any subterfuge annulled or made of no effect.

*Resolved*, That the scheme to subvert our neighboring republic of Mexico, and to plant by foreign bayonets an Austrian despotism instead, having had its origin in undisguised hostility to the United States, it is the urgent duty of our Government to take such decisive measures as will bring about the early abandonment of what, under the circumstances, is nothing less than a standing insult to our power, and a menace to our republican institutions.

*Resolved*, That we recognize in Andrew Johnson, President of the United States, the just citizen, the sincere patriot, and the distinguished statesman; that the tone and temper of his late annual message to Congress meets our warm approbation, and augurs well for the success of his administration. We pledge him our hearty confidence and support in all his efforts to restore harmony and mutual trust between the different sections of the Union, upon the basis of universal liberty, and exact justice to all.

*Resolved*, That the State and the national faith, pledged for the public debt, incurred in defence of the Union, must be kept inviolate, and that we insist upon an economy in the public expenditures, and pledge the Republican party of New Hampshire to retrenchment and reform, wherever practicable. And of the sincerity of this pledge we give the highest guaranty in our power by presenting again for reelection our present popular chief magistrate, Hon. Frederick Smyth, against whose official or personal integrity not even political rancor has dared to utter a word. The people know his devotion to their interests, honor his integrity, and will triumphantly reelect him.

Governor Smyth was renominated for Governor.

The Democratic State Convention of New Hampshire assembled at Concord on Wednesday, February 7th, and nominated John G. Sinclair as candidate for Governor.

The committee on resolutions submitted a series of nine, which were adopted amid hearty applause.

The first avers that the Government derives its powers from the Constitution, and that any authority exercised contrary thereto is usurpation, and calls for a strict construction of the Constitution.

The second totally disapproves of all proposed or contemplated amendments to the Constitution.

The third affirms the freedom of speech, of the

press, and of elections, privilege of the writ of *habeas corpus* and of trial by jury, exemption from arbitrary arrest, and the subordination of the military to the civil power, as rights which must be preserved.

The fourth affirms the right of each State to regulate its elective franchise for itself, and that attempts to interfere with this right are violations of the Constitution.

The fifth says that the announcement that the State debt of New Hampshire is \$13,000,000 is a very startling fact to all honest men, who do not intend to shirk their share of taxation.

The sixth calls for a scrutiny of the expenditures of the war funds of the State, in order that the great difference in the debts of the States of Vermont and New Hampshire—that of the latter State being thirteen millions, and that of the former but about eight millions—be accounted for.

The seventh pledges to President Johnson their support in the efforts which he is making to secure to all the States immediate representation in Congress, and their full rights under the Constitution as States of the Union, and that they will stand by him so long as he stands by the Constitution, and invites all patriotic citizens to unite with them in this purpose.

The eighth states that equality of taxation is a sound Democratic doctrine, and must be maintained. The whole taxable property of the country should be equitably assessed, with no privileged exemptions for the support of the local, State, and Federal governments, each and all of which should be administered with the utmost economy consistent with their proper conduct, and under a sense of the strictest accountability to the people.

The last resolution states that, as in the past, so now and forever, they proclaim as a device, worthy of every true American citizen, "No North, no South, but one inseparable Union, one undivided people of brethren, making common front against every encroachment upon the Constitution and every form of fanaticism."

The Legislature met on the June 6th, and continued in session four weeks. Among the important acts passed was one establishing an agricultural college, to be placed under the direction of Dartmouth College. Its main features are as follows: the general government of the college shall be in the hands of nine trustees, five to be appointed by the Governor and council, and four by the trustees of Dartmouth College. The trustees shall appoint a faculty of instruction, prescribe their duties, and invest them with such powers for the immediate government and management of the institution as they may deem most conducive to its best interests. No trustee shall receive any compensation for his services; but expenses necessarily incurred by him shall be paid by the college. The trustees shall make an annual report to the Legislature of the financial condition and of the operations and progress of the college, recording any improvements or experiments made, with their cost and results, including such State, industrial, and economical statistics, as may be useful. The trustees are authorized and empowered to locate and establish the college incorporated by this act at Hanover, in the State, in connection with Dartmouth College, and with that corporation to make all necessary contracts for a period not exceeding years, in relation to the terms of the connection therewith, and to its furnishing to the college of



agriculture and the mechanic arts the free use of an experimental farm, of all requisite buildings, of the libraries, laboratories, apparatus, and museums of said Dartmouth College, and for supplying such instruction, in addition to that furnished by its professors and teachers, as the best interests of the students may require, and also as to any legacy Dartmouth College may receive from the estate of the late David Culver. The trustees are also authorized and directed to furnish, so far as may be practicable, free tuition to indigent students of the college, and to make provision for the delivery of free lectures in different parts of the State upon subjects pertaining to agriculture and the mechanic arts.

A resolution, giving \$5,000 to the sufferers at Portland, was passed unanimously, and each member added one day's pay, making \$5,981 in the whole. The salaries of the Supreme Judicial Court Judges were increased to \$2,400 for the Chief Justice, and \$2,200 each for the associates: that of the Attorney-General was fixed at \$2,000. The salaries of the Judges and Registers of Probate were also advanced.

An attempt to tax United States bonds in this State has failed. The Legislature of 1865 passed an act levying a tax of 25 per cent. upon incomes accruing from notes, bonds, or other securities, not otherwise taxed under the laws of the State. The Supreme Court of the State, in March, decided that the act was unconstitutional, so far as it relates to all classes of Government bonds.

The condition of the treasury during the last financial year has been highly satisfactory. All demands upon it have been promptly met, and the credit of the State materially improved. The receipts into the treasury of the State for the fiscal year, ending June 1st, were \$4,116,078.54. The disbursements, during the same period, amounted to \$3,958,199.69. The total debt, June 1st, was \$4,160,698.89.

The subject of public education has always been placed in deserved prominence in this State, and the school system has been fostered by liberal appropriations. The withdrawal of the literary fund, heretofore derived from the taxation of the State banks, and now lost in consequence of their conversion into national banking institutions, has very seriously diminished the aid formerly extended to schools, and the great advance in prices has likewise had a detrimental effect upon them; but the efficient efforts of the Board of Education have maintained the high character the common schools have always possessed.

The State Asylum for the Insane continues in a most satisfactory condition. The appropriations in its behalf have proved judicious, and productive of great good, and have been nobly seconded from time to time by benevolent individuals. During the year the munificent legacy of one hundred and forty thousand dollars was devised to the asylum by Moody Kent, Esq., the income of which will enable the trustees to

supply the institution with many improvements and specific curative appliances long needed. The asylum has accommodations for two hundred and eighteen patients, though on the 1st of May it contained two hundred and thirty-six.

New Hampshire has no asylum for the deaf and dumb, or the blind, but appropriations are annually made for the support of these unfortunate classes at the institutions of other States.

In the early part of the year the House of Reformation for Juvenile Delinquents was partially destroyed by fire, in consequence of which its career of prosperity was for a time interrupted.

The financial standing and general condition of the State Prison are quite satisfactory. The proceeds of the labor of the convicts have met the expenses of the institution, so that the prison has been self-sustaining, and the State is not called on for any appropriation in its behalf. The number of prisoners May 1st was 101.

In agricultural enterprise New Hampshire keeps pace with her sister States, by the adoption of new methods of improvement, and by constant devotion to every means of rendering the cultivation of her soil remunerative to the farmer. There is universal evidence of growing prosperity, manifested in well-ordered and comfortable buildings, cultivated fields, and domestic animals well bred and wisely cared for.

Increasing attention is given to manufactures, and the growth of towns and villages along the streams continues with great activity, and valuable water privileges are rapidly brought into requisition, adding materially to the wealth and prosperity of the State.

The measures inaugurated by the Legislature two or three years ago, and which also appointed commissioners to other New England States to request their coöperation in restoring to the rivers migrating fish, bid fair to be successful. The salmon spawn deposited some time ago is doing well, and it is believed the rivers will, in a few years, be abundantly supplied with both salmon and shad as in olden times.

The mineral resources of the State are, at this time, attracting an unusual degree of attention, and the increasing interest manifested in them by capitalists and practical miners, with the very flattering results of their investigations, give fair promise that they may become a source of profit and revenue.

At the election for Governor, the total vote cast was 65,636, of which Smyth, the Republican candidate, received 35,137, and Sinclair, his opponent, obtained 30,481. The Legislature is divided as follows:

	Senate.	House.	Joint Ballot.
Republicans .....	9	208	217
Democrats.....	3	118	121
Majority.....	6	90	96

An election for three members of Congress



will be held in March, 1867. The present members are all Republicans.

NEW JERSEY. The receipts from all sources into the treasury of this State during 1866 were \$449,421, and the actual disbursements, \$619,336. The deficiency of \$169,914 was met by the payment of certain sums to the State. The transit duties paid by the railroad companies were \$87,658 less than during the previous year, while those of the Delaware and Raritan Canal increased \$33,893. The indebtedness of the State consists of the war debt, which is represented by bonds amounting to \$3,305,200. There are registered in the adjutant-general's office the names of 3,358 naval recruits, and 2,516 colored troops still in the service of the United States. The sum of \$777,516 is due to the State by the United States for advances made to fit out troops. The indebtedness incurred in the several counties, towns, and cities of the State for bounties, excepting several townships not yet reported, amounts to \$23,417,988. An act was passed by the Legislature at the beginning of the year to create a Board of Education. This board commenced its duties by codifying the various school laws of the State with such additions as experience had proved to be advantageous in other States. The income of the school fund from all sources in 1865 was \$79,146. Of this sum the banks of the State paid \$40,833. All of these institutions, excepting nine, have organized under the national law or surrendered their charters, and the amount from this source to the school fund, in 1866, was only 6,000. The State, however, appropriated \$40,000, and the school fund contributed also \$40,000. The amount of money raised by local tax for schools was \$506,662, and the total amount appropriated for educational purposes was \$746,794. The number of public schools in the State is 1972. The number of children in the State between five and eighteen years of age is 197,456, while the number who have attended school for the year was 37,950, and the number who have not attended school at all was 39,557. The Normal School has 151 pupils.

The College of New Jersey shows a considerable degree of prosperity. The number of students was 238, of whom 86 were from New Jersey, 45 from Pennsylvania, 38 from Maryland, 17 from Delaware, and the remainder from 14 States.

The apparatus of the college has been greatly enlarged and improved by the purchase of Dr. Torrey's chemical instruments and materials, besides a well-selected mineralogical cabinet, and specimens of natural history, fossils, &c. These latter include over 5,000 specimens of Alpine rocks, presented by Professor Guyot; 300 species of fossils collected in the State of New York, and nearly a thousand specimens, with numerous casts of large and rare reptiles. The libraries altogether include 24,000 volumes. A fund of \$10,000 having been given by Gen. N. Norris Halsted, for the purpose

of building an astronomical observatory, the trustees have purchased a site for the building, at an expense of \$4,500.

Besides the endowment of a large number of scholarships by private individuals (at a cost of \$1,000 each, enabling the founder to select the student to enjoy it), the Professorship of Geology and Physical Geography has been endowed by the donation of \$30,000 from John I. Blair. A family, whose name is withheld, has contributed \$35,000 as a fund for the support of the president, and over \$50,000 more have been added to the sustentation fund, by donations from other friends of the institution. These amounts, with the scholarships, raise the entire fund to more than \$135,000.

Rutgers College, which received the donation of Congress for an agricultural college, has opened a scientific and agricultural department, which has advanced very favorably. The first class of seven persons was organized in 1865, and a second of fourteen persons in 1866. A class of three is pursuing a course of analytical chemistry. An astronomical observatory for this institution has been completed.

Seton Hall, at Orange, which suffered a great loss in the burning of its most important building, has erected another, and continued in operation with increasing numbers.

The agricultural districts of the State are rapidly increasing in population. Within the last fifteen years this increase has been faster than the average of the whole United States. The staple crops of corn, wheat, potatoes, etc., compare well in the yield with any of the newer States. The value of the market garden products of the State is below only one other State in the Union.

The Agricultural Society has been authorized by the Legislature to hold the necessary real estate, and has been located at Newark. The protection of the cattle owned in the State from rinderpest, was placed in the hands of this society, by the Legislature, with complete success. The society has also employed during the year an entomologist, Dr. I. P. Trimble. During the year he has issued one volume on "Insect Enemies of Fruit and Fruit Trees," treating chiefly of the curculio, a native, and the apple-worm moth, or codling moth, which is an imported enemy. Nearly twenty years have been devoted to the preparation of the work. A second volume is in progress. Of the fruits of the State the society say:

"Are we to abandon entirely the culture of fruit in New Jersey? Unless the evil is taken in hand at once, we cannot but see that such is to be the inevitable result. The great cause of this evil is the insect enemies of fruit and fruit-trees. They have multiplied to an extent which threatens the annihilation of fruit in New Jersey. Can this evil be arrested? Our entomologist bids us to take courage. He shows us that there are means of baffling this enemy. He assures us that 'the protection of



fruit from these insects can be made a fixed science, so that the man who chooses to go into the business of fruit-growing may be sure of success, provided he permits no other pursuit to interfere with the proper attention to this at the right time.' There is no question but that very much of the decline of our fruits and fruit-trees, particularly the apple, is due to the exhaustive system of agriculture, and the negligent and slovenly habits of the farmers of a previous day in the treatment of their orchards. But that day is, or ought to be, among the past."

The geological survey of the State is still progressing. In addition to the half million tons drawn from the marl beds by teams each year, there are now facilities for the production and transportation by rail of a thousand tons daily. About two hundred and fifty thousand tons of iron ore were mined during the year.

The number of convicts in the penitentiary is 543. The number of cells is 332, and the institution is based on the theory of solitary confinement. A commencement has been made for a State reform school.

The charitable institutions of the State are in successful operation. The number under treatment in the lunatic asylum during the year was 540; of this number 321 are supported by the public authorities. The deaf and dumb and the blind children of indigent parents are supported in the institutions of other States.

An act of the Legislature authorized the governor to appoint a sanitary commission whose duty it should be to report such information as they might deem important respecting the general sanitary condition of the State. They recommended the enactment of a general health code which should define more accurately the powers of local health authorities, secure diffusion of proper information, search out remedies, procure accurate statistics, etc.

The claim of the State against the United States for expenses incurred on account of volunteer troops amounts to \$1,181,427, of which \$356,667 has been allowed, and \$144,740 suspended and disallowed.

A home for disabled soldiers has been secured on Mt. Pleasant, Newark, where the land has been leased and the buildings purchased of the United States. The number of patients up to the close of the year was 99. A house for soldiers' children has been also provided, and has under its care 40 children between four and twelve years of age. Preparations for a history of the part borne by the State in the recent war have been made, and John Y. Foster appointed to prepare the work. The sum of \$5,000 has been appropriated to secure the removal of the dead soldiers of the State from the fields in Maryland to the Antietam Cemetery.

At the session of the Legislature held at the commencement of the year, a law was enacted requiring the names of all voters to be regis-

tered previous to the day of election. The hours of holding the elections were changed from eight A. M. and seven P. M. to seven A. M. and sunset. At the same time eight hours was declared to be a legal day's work on election days. The amendment to the Federal Constitution, known as article 13, was ratified by the Legislature at this session on April 11th. The vote in the Senate was ayes 11, nays 10; in the House, ayes 34, nays 24. At this session an attempt was made to elect a United States Senator in the place of Mr. Stockton, whose seat had been declared vacant by the Senate of the United States. (*See CONGRESS, U. S.*) It failed, however, in consequence of the refusal of the Senate by one majority to unite with the House in joint meeting. The Democratic members of the Legislature united in a protest against the election of senator. 1. Because there was no vacancy; 2. Because the Federal Senate acted by less than a majority of their whole number, against the facts of the case; 3. Because it was a high-handed violation of the constitutional rights of the State of New Jersey to have two representatives in the Senate of the United States, who are to be appointed in the manner prescribed by the Legislature thereof. Congress immediately passed an act directing the manner in which State Legislatures should proceed in the election of United States senators.

On August 30th, the Governor issued his proclamation, convening the Legislature in extra session for the purpose of passing the amendment to the Federal Constitution, article 14, and for the election of a senator to Congress in the seat vacated by Mr. Stockton. This body reassembled on September 10th. The Governor (Ward) in his address recommending the amendment to the Federal Constitution said:

I recommend the ratification of the proposed amendment to the Constitution by the Legislature of the State of New Jersey. I regard it as the most lenient amnesty ever offered to treason, while every provision is wisely adapted to the welfare of the whole country. Its immediate adoption by three-fourths of the States will insure the settlement of all the questions at issue, and unite a whole people in the work of perpetuating and strengthening a free government.

With regard to the senatorship he said:

While questions of great importance are pressing upon the attention of Congress, New Jersey, through an existing vacancy, and the protracted illness of one of its senators, is unrepresented in the Senate of the United States. As the existing vacancy took place during the first meeting of the Legislature, no appointment could be made by me, and I regard your election of a senator as only second in importance to the ratification of the constitutional amendment. Since your first meeting an act has been passed by Congress, and approved by the President, regulating the times and manner of holding elections for senators in Congress, a copy of which I herewith transmit. It is designed to render as certain as possible the representation of the States in the Senate by preventing all factious opposition to the will of a majority of the Legislature.

The only change in the political division of



the Legislature was caused by the change in the views of the President of the Senate (Scovill), who held the casting vote between parties in that body. The constitutional amendment, article 14th, was passed in the Senate on the 11th, by eleven votes in its favor, the ten Democrats not voting. In the House the vote was yeas 34, nays 24. The act of Congress requires the election of a United States Senator to take place on the second Tuesday after the commencement of the session. On the 19th both houses of the Legislature met in joint convention and declared Mr. A. G. Cattell elected by 44 votes. The Democratic members did not vote, but presented a protest, which was entered on the minutes. The grounds of their action were: 1. That there was no vacancy; 2. Because the act of Congress of July 25, 1866, under which it was proposed to make the election, was unconstitutional.

The State election in November was for the choice of members of Congress, members of the lower House, and one-third of the Senate of the State Legislature. Of the five members of Congress elected, three were Republicans and two Conservatives, or Democrats. The new Legislature was divided as follows:

	Senate.	House.
Republicans .....	13	33
Democrats .....	8	27
Republican majority.....	5	6

NEW YORK. The finances of this State at the close of the fiscal year, September 30, 1866, stood as follows:

GENERAL FUND.

Deficiency in the revenue, Sept. 30, 1865.....	\$1,179,394 06
Payments of the year.....	8,934,759 28
	<hr/>
Receipts.....	\$10,114,153 44
Deficiency of the revenue, Sept. 30, 1866.....	7,490,415 76
There was due at the close of the fiscal year from the city of New York, \$2,433,903.09, applicable to the reduction of the above deficiency of \$2,623,637.68.	2,622,637 68

OTHER FUNDS.

Payments of the year on account of all the funds except the canal fund.....	\$13,651,102 36
Balance in the treasury, Sept. 30, 1865.....	\$90,569 78
Receipts of year.....	12,485,574 82
	<hr/>
	\$12,576,144 60
Amount overdrawn, Sept. 30, 1866.....	\$1,074,957 76

GENERAL FUND STATE DEBT.

Amount of debt, Sept. 30, 1865.....	\$6,050,954 37
Stock redeemed during the year.....	408,331 15
Amount of debt, Sept. 30, 1866.....	\$5,642,623 22

The following is a comparative statement of the aggregate State debt:

	1865.	1866.
General fund debt.....	\$6,050,945 37	\$5,642,622 22
Contingent.....	224,000 00	218,000 00
Canal.....	19,597,395 49	18,248,460 00
County.....	23,989,000 00	27,644,900 00
Total.....	<hr/>	<hr/>
	\$49,861,340 86	\$51,753,982 22

The receipts from the three principal sources of general fund revenue were:

Salt duties.....	\$70,411 66
Auction duties.....	269,720 23
Taxes.....	5,674,875 25
Total.....	<hr/>
	\$6,015,007 14

The estimate of taxes is—

For general fund.....	1 $\frac{1}{8}$ mills.
For schools.....	mill.
For canals.....	mill.
Bounty loan.....	3 mills.

The State tax levied in 1866 was 5  $\frac{1}{8}$  mills, for the following purposes: for schools,  $\frac{3}{4}$  of a mill; for general purposes, 1  $\frac{3}{4}$  mills; for canals,  $\frac{1}{16}$  of a mill; for the bounty debt, 2  $\frac{1}{2}$  mills.

The direct tax levied in 1865, and payable during the last fiscal year, amounted to \$6,033,-817.34, exclusive of the  $\frac{3}{4}$  mill tax for school purposes and county treasurer's fees.

The comptroller regarded the present system of managing the United States deposit fund as cumbrous and unsafe, and recommended the calling in of the mortgage loans of the deposit fund, and investing the money in stocks of the State of New York or of the United States. The ascertained losses during the past five years, from defalcations, inadequate security, and other causes, reduce the net revenue to between five and six per cent., although the loans are made at seven. At five per cent., the annual difference between the nominal and the real revenue would be about \$70,000. The comptroller also recommended that, while real estate was assessed at not more than half its real value, and the larger portion of personal property escaped altogether, sworn returns should be required, and more stringent provisions adopted for the assessment of all kinds of property, and that for that purpose the State Board of Equalization should be clothed with additional powers.

The following is a detailed statement of the condition of the canal fund for the fiscal year ending September 30, 1866:

RECEIPTS AND PAYMENTS.

Balance in the treasury and invested, October 1, 1865 .....	\$3,922,980 14
Received during the year.....	6,704,292 89
	<hr/>
	\$10,627,273 03
Payments .....	5,742,638 91
Leaving a balance, Sept. 30, 1866, of.....	<hr/>
	\$4,884,634 12

REVENUES DURING THE FISCAL YEAR.

From tolls.....	\$4,248,931 17
Rent of surplus water.....	4,298 75
Interest on current canal revenues.....	88,249 73
Miscellaneous receipts.....	18,271 47
	<hr/>
	\$4,309,746 12

EXPENSES.

To canal commissioners for repairs.....	\$255,265 20
To contractors for repairs.....	685,446 80
To superintendents for repairs...	292,811 89
To collectors for salaries, clerk hire, pay of inspectors and expenses of collectors' offices.....	74,584 30



Brought forward.....	\$1,308,108 19	\$4,309,746 12
For salaries chargeable to annual revenues, refunded tolls, printing, and other miscellaneous payments.....	64,428 23	
For overdraft on account of Champlain canal locks, per act, chap. 543, laws of 1866.....	62,453 21	
		\$1,434,983 73
Surplus revenues.....		\$2,874,756 39
which have been transferred to the sinking fund, as follows:		
Under Art. 7, Sec. 1, of the Constitution.....	\$1,700,000 00	
Under Art. 7, Sec. 2, of the Constitution.....	350,000 00	
Under Art. 7, Sec. 3, of the Constitution.....	824,756 39	
		\$2,874,756 39

STATEMENT OF THE CANAL DEBT, PAYING INTEREST ON  
SEPTEMBER 30, 1866.

	Principal.	Annual Interest.
Under Art. 7, Sec. 1, of the Constitution.....	\$4,899,600 00	\$244,980 00
Under Art. 7, Sec. 3, of the Constitution.....	11,567,000 00	688,350 00
Under Art. 7, Sec. 12, of the Constitution.....	1,700,000 00	102,000 00
Total.....	\$18,166,600 00	\$1,035,330 00

The canal stock was reduced during the year \$1,257,985.49. The balances now in the canal debt sinking fund, amounting to \$2,563,623, pledged to the payment of the principal of the debt, when applied, will reduce that principal to \$15,602,976. It is estimated that the entire liquidation of the general fund debt of 1846, may be looked for in 1872. The Canal Department has been purchasing the unmatured stocks, with a view to cancellation, and will continue to do so to the extent of its available means, when offered at prices advantageous to the State.

Governor Fenton, in his annual message, soon after the close of 1866, discussed at some length the necessity of providing additional canal facilities for the immense and constantly increasing transportation business between the East and the West. He called attention to the proposed plan of constructing an enlarged tier of locks on the line of the Erie and Oswego Canals, from tide-water to Lakes Ontario and Erie, which will admit the passage of vessels propelled by steam, of 500 or 600 tons burden. These vessels would carry threefold the tonnage of the present canal boats, and make the round trip in half of the time. Competent engineers have estimated that the capacity of the canals would be increased to over 11,000,000 tons, and the cost of transportation reduced one-half. The cost of the improvement is placed at about \$10,000,000. The Governor suggested that the convention to be called for the revision of the State Constitution would have power to modify the present financial article, so as to permit a debt to be created to cover the cost of this improvement, if it should be deemed worthy of public patronage and support. It is a question whether the General Government should not aid the State in a matter of such national im-

portance, either directly or indirectly, by remitting something of the tax upon the industry or capital of the State, to the extent of the war debt.

This subject was referred to the appropriate committee at the subsequent meeting of the Legislature, and was fully reported on. The committee were of the opinion that an immediate enlargement of the canal locks was necessary to preserve the through traffic, which otherwise would seek rival lines. They report in favor of one tier of locks 220 feet long and 26 feet broad, from Lake Ontario to the Hudson River. These locks would accommodate boats 200 feet long and 23½ feet wide, with an aggregate capacity, if impelled by steam, of a business of fully 10,000,000 tons. When required, another similar tier of locks can be constructed. The committee indorse the opinion that this improvement will reduce the rates of freight one-half from the Lakes to New York city, and that the saving from this source alone, in one year, would nearly be enough to complete the proposed work. They also think that within ten years after the enlargement is finished, the cost of the improvement and the present canal and several fund debts will have been fully paid by the tolls without any resort to taxation of the people of the State. The total expense of the improvement is estimated by the State engineer at \$8,215,263.75. The canal fund will probably have on hand, September 30, 1868, the sum of \$7,919,685, which the committee think might be used for the purpose, as it will not be required to pay either principal or interest of the canal debt, and as such use involves no breach of faith to creditors, or stretch of constitutional authority. The enlargement of the locks on Seneca and Cayuga Canals of the same size as the Erie is also recommended. The committee direct attention to the growing receipts of flour and grain at Montreal, as showing the possibility that the Canada route may become the highway for freights from the West. Some of the Southern lines are also regarded as formidable competitors—especially the Norfolk route, which makes a shorter distance from Cincinnati to the seaboard by 160 miles than to New York, *via* the Lakes, Erie Canal, and Hudson River. The Baltimore and Ohio, Pennsylvania Central, and Pittsburg, Fort Wayne and Chicago lines are also glanced at, and it is demonstrated that the New York canals cannot be sustained without the northwestern trade, which will inevitably seek other channels unless these canals are enlarged.

The aggregate quantity of flour, wheat, corn, and barley, and other articles of produce which had been transported over the Erie Canal from the west and landed at the head of tide-water navigation at Albany and Troy, from the commencement of navigation in each year to the 7th of December, inclusive, during the years 1864, 1865, and 1866, was, as shown in the following table:



	1864.	1865.	1866.
<i>Canal opened...</i>	<i>April 30.</i>	<i>May 1.</i>	<i>May 1.</i>
Flour, barrels.....	1,184,300	934,300	450,800
Wheat, bushels.....	15,465,600	9,998,400	6,852,700
Corn, ".....	10,352,400	18,186,700	24,193,100
Barley, ".....	3,045,900	4,269,100	6,801,600
Oats, ".....	12,177,500	10,483,900	10,240,300
Rye, ".....	620,300	1,289,900	1,521,800
Malt, ".....	.....	505,100	427,000
Beef, barrels.....	70,700	9,864	2,200
Pork, ".....	58,400	15,109	43
Bacon, pounds.....	579,600	1,273,100	10,000
Butter, ".....	1,327,800	1,230,900	1,255,000
Lard, ".....	2,614,800	1,999,600	1,241,400
Cheese, ".....	4,398,900	16,671,000	9,807,000
Wool, ".....	1,302,100	635,500	519,800

By reducing the wheat to flour, the quantity of the latter left at tide-water, within the period mentioned, for 1866, compared with that of 1865, shows a deficiency of 1,112,640 barrels flour.

On the 1st of December, 1866, the military organization of the State was composed as follows: 104 regiments of infantry, 3 regiments of cavalry, 1 regiment of artillery, 1 battalion of infantry, 2 battalions of artillery, 3 batteries of artillery, 1 battalion of cavalry, 1 independent battery, 2 light howitzer batteries, 1 squadron of cavalry—numbering in all about 50,000 men. A marked improvement was reported in the National Guard, in respect to discipline and efficiency. The appropriations for the purchase of uniforms, arms, and equipments, had all been expended, and still several thousand men, enrolled and organized, were unsupplied. The appropriation of \$150,000, made at the session of the Legislature in 1866, payable out of fines and taxes to be collected from the reserve militia force, has not been realized. Three enrolments have been made, or attempted, since the new militia law was passed; under those of 1862 and 1864, no fines or taxes were realized to the treasury, owing to some legal difficulties in the way of enforcing the law. In making the third enrolment (for 1866), more care was taken to conform strictly to the requirements of the law, and it is expected that the militia fund will be augmented thereby.

The military agencies at Washington and Albany, and the temporary Soldiers' Home, through which the aid of the State has been disbursed, have been of great service to those who needed their assistance. Over 17,000 claims have been prepared and forwarded; 30,000 letters have been written; \$600,000 have been collected. On the 1st of January, 1867, there were about 15,000 applications pending, on which it is expected that \$1,500,000 will be obtained, during the ensuing year.

The following brief summary gives the most important and interesting facts, with regard to the State common schools, for the year 1866:

#### RECEIPTS FOR SUPPORT OF COMMON SCHOOLS.

Public school moneys, including $\frac{3}{4}$ mill tax....	\$1,406,080 43
Voluntary taxation in the school districts.....	4,550,111 86
Rate bills.....	708,003 03
Other sources.....	714,684 90

#### EXPENDITURES.

Teachers' wages.....	\$4,586,211 09
Libraries.....	27,560 06
School apparatus.....	186,508 90
Building and repairs of school-houses.....	969,618 12
Miscellaneous.....	858,246 12
Balance reported on hand.....	750,735 93
Total number of children and youth between the ages of five and twenty-one years.....	1,354,967
Number of children between the ages of six and seventeen years.....	931,404
Number of children of school age who have attended the public schools during the same portion of the year.....	919,033
Teachers employed in public schools for twenty-eight weeks, or more, during the year....	15,664
Whole number of male teachers.....	5,031
Whole number of female teachers.....	21,450
Total number of school districts.....	11,732
Total number of school-houses.....	11,552
Aggregate number of weeks' school.....	369,571
Number of volumes in district libraries.....	1,183,017
Aggregate number of pupils attending the normal schools at some time during the year..	451
Number of teachers instructed in teachers' institutes.....	8,553
Number of teachers in teachers' classes in academies.....	1,469
Amount of money to be apportioned for the support of common schools, for the current fiscal year.....	\$1,468,422 22

According to this report, the number of children and youth in daily attendance at the public school is 30.02 per cent. of the entire number between 5 and 21 years of age, or 43.67 per cent. of the entire number of children between 6 and 17 years of age.

The commission appointed by the Legislature of 1866, to invite proposals for the establishment of four more normal schools, received applications from several localities, making liberal offers of land, buildings, all necessary furniture and apparatus, or their equivalent in money; and after full consideration, Potsdam, Cortland, Brockport, and Fredonia, were selected as the places for the schools. The commission were so much impressed by the public spirit manifested in this connection, that they recommended to the Legislature to authorize the establishment of six additional schools on the same terms and conditions as those already provided for.

The University Convocation was held at Albany in August, and a number of measures were adopted to advance the interests of education in the State. A resolution was adopted appointing the presidents of the colleges of the State a committee to collect and report at the next convocation the materials for forming the "Military Roll of Honor of the State of New York, in connection with the great and successful struggle for maintaining the life and honor of the nation." A committee was also named, to report at a future time, on the subject of a suitable course of study, and appropriate testimonials for females in the higher institutions of learning in the State. At a meeting of the regents of the university, January 11, 1867, the distribution of \$40,000 of the income of the literary fund for 1866 was made among the academies entitled to participate therein.

Much excitement was caused in the Metropolitan Police District, including New York



City and surrounding territory, by the enforcement of the new excise law. After a rigid application of the law for a few days, it was given up by the authorities until its constitutionality could be decided by the highest court of the State. Some of the liquor dealers continued to comply with the law during that interval; but practically it was of no effect. In order that the troublesome question might be disposed of as quickly as possible, Governor Fenton issued the following proclamation, calling a special term of the Supreme Court of the First Judicial District:

I, Reuben E. Fenton, Governor of the State of New York, by virtue of the power reposed in me by section twenty-four of the code of procedure, and at the solicitation of the Board of Excise for the Metropolitan Police District, as expressed by the following official record of their proceedings, to wit: "At a meeting of the Board of Excise for the Metropolitan Police District, held at No. 301 Mott Street, in the city of New York, on the 27th day of July, 1866, it was resolved that his Excellency, the Governor of this State, be requested to appoint an extraordinary general term of the Supreme Court, to be held in the First Judicial District of the State, at as early a day as practicable," do hereby appoint an extraordinary general term of the Supreme Court, to be held in and for the First Judicial District of this State, at the usual place of holding the general terms of the Supreme Court, in and for the said district, in the city of New York, on the 29th day of August, 1866, at ten o'clock, A. M., of that day, for the hearing and decision of all cases, criminal or civil, arising under chapter 578 of the laws of 1866, which may be presented to said court.

In witness whereof I have hereunto set my hand and affixed the privy seal of the State, at the city of Albany, this 7th day of August, 1866.

R. E. FENTON.

DANIEL W. MERCHANT, Acting Private Secretary.

At this court a case was argued, embracing the controverted points, and a decision rendered sustaining the constitutionality of the law. The judgment was affirmed by the Court of Appeals, and officially reported as follows:

*Board of Excise in Metropolitan District vs. Jackson S. Schultz, etc., and several other cases.*—The Court of Appeals have unanimously affirmed the judgment of the General Term in the First District, holding the Excise Law of April 14, 1866, constitutional and valid. The court held that the provisions of that act were within the scope of legislative authority, which extended to all subjects not prohibited by the Constitution; that the right to regulate the trafficking in intoxicating liquors is prohibited by no constitutional restriction; that such regulation does not interfere with or restrain one of his liberty or property within the prohibitions of the Constitution; that licenses to sell liquors are mere temporary permits to do that which, without such permit, would be an offence; that such license is no contract between the State and the licensee—giving the latter any vested right; that such licenses are a part of the internal system of the State, and are usual in the exercise of police powers, and are subject to the direction of the State, which may revoke, modify, or continue them at pleasure; that the necessary power of the Legislature over all subjects of internal police regulation is a part of the constitutional grant of powers which cannot be sold, given away or relinquished; and in respect to which no Legislature can bind its successor.

Judgment affirmed.

JOEL TIFFANY, State Reporter.

The case of the New York State agents at Washington, (*see* ANNUAL CYCLOPEDIA for 1864,) was ultimately decided by the acquittal and honorable discharge of the accused parties. It will be remembered that these agents (Colonel Samuel North, Levi Cohn, and Morvin M. Jones) were arrested at Washington, and consigned to the Old Capitol Prison on the charge of "defrauding soldiers of their vote." Colonel North was the duly accredited agent of the State, appointed to look after the interests of the New York volunteers at Washington; Mr. Cohn was a paymaster of the State, temporarily at Washington for the purpose of paying bounties to the reënlisted men; and Mr. Jones was connected with the State agency in the capacity of a visitor of hospitals. All the parties had proved energetic and highly useful in the discharge of their several duties. Their arrest was claimed by their personal and political friends to have been dictated by partisan hostility, and without justification. After an incarceration of three months, during which time they suffered many privations and hardships, they were discharged on the 26th of January, 1865, nineteen days subsequent to the formal rendering of the verdict of "not guilty."

The following is the official record of the fact, made public in February, 1867:

WAR DEPARTMENT,  
BUREAU OF MILITARY JUSTICE, }  
WASHINGTON, D. C., February 12, 1867. }

*Hon. Charles Goodyear:*

SIR: By direction of the Secretary of War, I have the honor to transmit to you the enclosed copy of the findings and judgment of the Military Commission in the case of Samuel North.

Very respectfully, your obedient servant,  
J. HOLT, Judge-Advocate General.

*Findings of the Military Commission.*

[Copy.] The Commission was then cleared for deliberation, and, after due consideration, do find the accused Samuel North, Levi Cohn, and Morvin M. Jones, as follows:

As to the defendants, Samuel North and Levi Cohn:  
As to the specification—NOT GUILTY.

As to the charge—NOT GUILTY.

As to the defendant Morvin M. Jones:

As to the specification—GUILTY, except as to the words "With the intent and for the purpose of having such blank, so signed, used as and for the act and deed of the real soldier, whose name purported to be signed thereto, and in fraud of the true electors."

As to the charge—NOT GUILTY.

And do, therefore, acquit said Samuel North, Levi Cohn, and Morvin M. Jones.

[Signed]

ABNER DOUBLEDAY,  
Major-General Vols.  
President of Military Commission.

JOHN A. FOSTER,  
Colonel and Judge-Advocate,

[Official.] J. HOLT, Judge-Advocate General.

In July, 1866, there was a revival of anti-rent troubles in the town of Knox, Albany County, and a battalion of the tenth regiment of militia was detailed to suppress the disturbances. The troops were met by seventy or eighty persons, who broke and ran, leaving nine prisoners in the hands of the military. No fire-arms were used, and no actual bodily



resistance was given. In August following similar troubles occurred in the town of Berne, in the same county. As Colonel Church, agent for the owners, was riding through the country, he was fired at twice by a party of men concealed behind some bushes by the roadside. The occupants of the wagon were not hit, but the horses were wounded. Four men were subsequently arrested for this outrage, and held for trial on the charge of assault with intent to kill.

The Legislature, at its regular session in 1866, transacted but little business of general and public interest. The following resolutions relative to national questions, were adopted by a large majority in both houses:

*Resolved*, That it is our mature and deliberate conviction that no State within which there has been insubordination or rebellion should be admitted to share in the national legislation, until it presents itself, not only in an attitude of loyalty and harmony, but in the persons of representatives whose loyalty cannot be questioned; and that each House of Congress is the sole judge of the qualifications and election of its members, and has full power to determine for itself *when the constituency or the representatives meet the conditions above set forth.*

*Resolved*, That it is our conviction, that as the country was pledged in the beginning and throughout the war against the rebellion to a vigorous prosecution thereof, to the great and permanent end of the vindication of the national integrity, and the reestablishment of the national government; that, as it accepted during its progress, as a measure of war, just and constitutional at the time of its utterance, the President's Proclamation of Emancipation; that, as it adopted at its close, as a measure of high national policy and justice, the constitutional amendment, which not only by the organic law theoretically made freedom universal, but, quite as important, conferred upon Congress all the constitutional powers needful to establish and enforce universal freedom in practice and in fact; so the nation is pledged to the world, to humanity, and, most of all, to the freedmen, that in all lawful ways the liberty and civil rights of every human being subject to the Government of the United States shall be protected and enforced, regardless of race, color, or condition, against every wrongful opposing law, ordinance, regulation, custom, or prejudice; and that the spirit which formed and organized and developed to the present strength that policy, has not fulfilled its allotted work until every subject of that government stands free not only, but equal before the law.

*Resolved*, That we are in favor of the extension of equal suffrage in the District of Columbia, to all male citizens of a suitable age.

A special session of the Senate, as a High Court of Impeachment, was convened in August by Governor Fenton, for the trial of Judge Smith, of Oneida County, on the charge of improper conduct in connection with filling the quota of that county, under the call for volunteers in December, 1864. Hon. B. Sedgwick, of Syracuse, and Mr. Hunt, of Utica, appeared for the prosecution, and Hon. Ira Shafer and Henry Smith, Esq., of Albany, for the defence. The trial occupied four days, and during its progress the fact came out that the message from the Governor to the Senate, on the 14th of February, calling them together for this extraordinary session, had afterward been altered

and amended without the knowledge of the Senate. The Senate refused to recognize the modifications, and decided that the trial should be had on the message as originally read. Being unable to find any record upon which to try the defendant, the Senate therefore adjourned, leaving the case undecided. At the succeeding regular session Judge Smith was removed from office.

While the special session of the Senate was in progress, President Johnson, Secretary Seward, General Grant, Admiral Farragut, and other distinguished gentlemen, passed through Albany on their way to the West. A series of resolutions welcoming "the President of the United States, and our distinguished fellow-citizens, General Grant and Admiral Farragut," to the city, were offered in the Senate. A motion was made to amend by including the name of Hon. W. H. Seward, Secretary of State, which was lost by a vote of 8 to 12. The resolutions were finally adopted as follows, the first by a vote of 17 to 4, the second by a vote of 16 to 3:

*Resolved*, That the Senate do, on behalf of the people of the State of New York, welcome His Excellency the President of the United States, and the other distinguished personages accompanying him, to our territory.

*Resolved*, That our distinguished fellow-citizens, General Grant and Admiral Farragut, who are expected at the State capital to-morrow, be warmly welcomed to the soil of this State by this Senate, on behalf of a grateful people, who recognize their services and appreciate their worth.

On September 30th, the total number of convicts in the several state prisons was 2,788, of whom 159 were females, and 70 insane. The aggregate value of all the prison property is estimated at \$2,166,969.17. The following is a statement of the earnings and expenditures of the last fiscal year:

EARNINGS.	
Sing Sing Prison for males.....	\$125,704 32
" " " females.....	4,829 01
Auburn Prison.....	97,734 91
Clinton " .....	193,376 56
Total.....	\$421,644 80
EXPENDITURES.	
At Sing Sing male prison.....	\$220,259 36
" " female " .....	27,149 13
" Auburn prison.....	134,001 73
" Clinton " .....	191,640 90
" Convict insane asylum.....	15,937 15
Total.....	\$588,988 27

Statistics of the State census for 1865, made public during the past year, reveal some interesting facts. The native citizens of the State form 67.34 per cent. of the population, showing an increase of 3.73 per cent. during the previous ten years; and during the same period there is a complementary decrease of every foreign element, except the German. The number of voters are 823,873, an increase of 170,551, a large proportion of whom are naturalized citizens. The negro population, now numbering 44,081, has been steadily diminishing for



the last 25 years, while the Indians, living upon reservations, have increased. The census of 1860 reported 22,624 manufactories, having a capital of \$172,895,651, and a product of \$378,870,839. The last census, which exhibits the statistics for 1864, gives 24,572 establishments, with a capital of \$228,674,187, and a product of \$463,603,877. The increase of capital in five years is over 31 per cent., and in the value of products over 22 per cent.

The valuations of property in the city of New York for 1866 were as follows: real, \$425,360,884; personal, \$181,423,471; total, \$606,784,355. The valuations for the entire State in the same year were: real, \$1,196,403,416; personal, \$334,826,220; total, \$1,531,229,636.

It is probably owing to the prompt and efficient action of the Federal and State authorities that the city of New York escaped the cholera in 1866. At the request of the quarantine commissioners, the Secretary of War assigned for their use the steamship *Illinois*, and the Secretary of the Navy the sloop-of-war *Saratoga* and *Portsmouth*. These were placed entirely at the disposal of the commissioners, and were used for quarantine purposes. The Secretary of the Treasury detailed a revenue cutter at the port of New York, in charge of a special agent, to aid the commissioners in enforcing quarantine regulations. These and other preparations were scarcely completed, when the steamship *Virginia* arrived from Liverpool, having lost 46 passengers by cholera on the voyage, and having a large number of sick on board. While undergoing quarantine, her sick increased to 196. Since that time, 18 other vessels, infected with cholera, arrived from foreign ports. The health officer estimates that there were about 2,000 cases on board vessels during their voyage, of which about 1,000 terminated fatally. The number of cases treated at quarantine were 651. Few, if any cases, the origin of which could be traced to the sick at quarantine, appeared on shore. Eight out of the eighteen vessels already mentioned arrived after November, when the cold weather had set in.

The Democratic State Convention to nominate candidates for the fall election, was held at Albany, September 11th. John T. Hoffman received the nomination for Governor; and J. V. L. Pruyn, for Lieutenant-Governor. Resolutions of regret and condolence were passed relative to the death of Dean Richmond, a member of the State committee, and the following platform was adopted:

The Democratic and National Union Electors of the State of New York, in convention assembled at Albany on this 12th day of September, 1866, hereby reaffirm the principles set forth by the convention held at Philadelphia on the 14th of August last.

And further, we affirm that we, for our part, hold inviolable, and, as far as in us lies, will make good the faith of the nation, plighted by the Senate of the United States in its resolution of July 26, 1861; by the House of Representatives in the same resolution of July 22d; by General Grant at Appomattox Court

House, and by President Johnson in his proclamation of amnesty of May 29, 1865, which fully, lawfully, and finally, restored to all the rights and functions of citizenship the great mass of the people of the Southern States, who, in their State Conventions and Legislatures, fulfilled every required condition, and who, by their delegations in the Philadelphia Convention, gave every needful pledge of the sincerity of their renewed allegiance, and their acceptance of the issue of the war.

And, lastly, we affirm that the centralization of power in this State, no less than in the Union, is fatal to the harmony of our political system, and dangerous to the liberty of the citizen. Recent legislation at Albany has usurped a supreme yet fitful control of the local affairs which counties and municipalities are entitled to regulate. It has also exceeded any former precedent in its extravagant expenditures, and its fraudulent tampering with the public works of the State. At Washington millions have been squandered upon central schemes of local benefactions, and a partizan Congress, while reducing the appropriations for a patriotic soldiery, has not scrupled to enhance its own emoluments of office.

Not to dwell upon other attendant evils, whose name is legion, we confidently appeal to the electors of this State to unite with us in a determined effort to restore the just balance of governmental power so wisely distributed by the fathers of the Constitution, and to arrest that monstrous corruption which is fast sapping the sources of public spirit and public virtue; and by such union and earnest effort to enlarge the freedom, lighten the burdens, and promote the happiness of the people of this State and Union.

The Republican Convention assembled at Syracuse, on September 5th, and organized by the choice of Lyman Tremaine as chairman. Governor Fenton was renominated as the candidate for Governor; and Thomas G. Alvord for Lieutenant-Governor. The following resolutions were adopted:

*Resolved*, That, by the grace of God, and the valor and intelligence of the people, the Constitution has been maintained as the supreme law of the land, and that every political, social, and industrial interest of the country, as well as the most earnest desire of every generous and patriotic heart, imperatively demand the speediest restoration of the Union which is consistent with constitutional justice and national safety.

*Resolved*, That the Union of the United States is perpetual, and that no power exists, either in the Federal Government, or in the several States, rightly to dissolve or destroy it. No State can rightfully secede from the Union or withdraw, or withhold its representation to Congress with intent to prejudice the Government; nor can the jurisdiction of the general government over a State and its inhabitants, or its rightful authority to execute its laws therein, to any extent be lost or impaired by rebellion and war, or other unlawful conduct of a State, or by treason of its people. But while the constitutional authority of the Federal Government can in no wise be impaired by the acts of the State or its people, a State may, by rebellion and war on its part, or treason on the part of its inhabitants, or by the abrogation of its loyal State Government, and the creation and maintenance of one alien and hostile in its form, so far in fact rupture its relations to the Union as to suspend its power to exercise the right and privileges which it possessed under the Constitution. That against such rebelling State the Federal Government may wage war for its subjection, using for that purpose all the powers of the laws of war as recognized by the laws of nations; and when that end is accomplished it belongs to the legisla-



tive power of the Government to determine at what time the State, by the establishment of a government, republican in form under the Constitution, and the complete abandonment of its rebellion, and the return to loyalty of its inhabitants, may safely resume the exercise of its rights and privileges under the Constitution which have been inert and suspended by its own wrong; and the doctrine that such State has kept perfect and unimpaired all its rights and privileges while in rebellion and war, to be used at its option, and is itself to judge when it is in proper condition to resume their enjoyment, is false and pernicious; and the other doctrine, that the President is alone sole judge of the period when such suspension shall be at an end, and the State permitted to resume its power in the Union, is equally unsound.

*Resolved*, That the pending amendment to the Constitution, proposed by Congress, which defines citizenship in the United States, and the civil rights of citizens, which equalizes national representation among the several States, which disables from national or local office—at the pleasure of the people represented in Congress—those who, having taken an oath to support the Constitution of the United States, shall have engaged in rebellion against the same, and which declares the validity of the public debt of the United States, and invalidates every debt incurred by any attempt to overthrow the Union, is essential to engraft upon the organic law the legitimate results of the war, commends itself by its justice, humanity, and moderation, to every patriotic heart, and that when any of the late insurgent States shall adopt that amendment, such State should at once, by its loyal representatives, be permitted to resume its place in Congress.

*Resolved*, That in pursuance of these principles, the late insurgent States were required by the President, subject to the approval of Congress, to accede to certain conditions including the ratification of the constitutional amendment of emancipation, which works a change in the constitutional basis of representation prejudicial to the equality of the States in Congress; that the continued absence of ten of the late insurgent States in Congress is due solely to their refusal to recognize this change, and that their claim to enter Congress before that change is acknowledged, is a demand that a bloody attempt to dissolve the Union shall be rewarded with increased representation of political power.

*Resolved*, That inequalities of guaranties of person and political liberties are dangerous to the peace of States and the welfare of freemen, and that we shall sincerely rejoice if the adoption of the constitutional amendment shall tend to that equalization of all political rights among citizens of the Union upon which the future peace, prosperity, and power of the United States must depend.

*Resolved*, That the President of the United States, in denouncing as unconstitutionally incompetent the Congress whose lawful authority he has officially recognized, convicts himself of usurpation of power, and that the tragical massacre of faithful citizens in Memphis and New Orleans should admonish him that his policy encourages a spirit fatal to national tranquillity, and which indefinitely delays the restoration of the Union.

Then followed resolutions complimenting Governor Fenton for his efficient administration, approving the other candidates, etc.

An interesting question, involving the right of an officer in the late Confederate army to vote in this State, was decided at the November term of the King's County Supreme Court. It came up on a mandamus, issued against the Registers of the First District of the 17th Ward of Brooklyn, commanding them to register the

name of Augustus Wheeler as a voter at the ensuing election, or show cause why the same was not done. It appeared that Wheeler is a native of Georgia, and during the war served as an assistant-surgeon in the Southern army, but had been an inhabitant of New York for one year, and of King's County for six months, and claimed the right to the elective franchise, which the registers refused on the ground that he had been a Confederate soldier. After a full hearing, Judge Gilbert decided in favor of Mr. Wheeler's citizenship, and his right to vote.

The official vote of the State for Governor was as follows: Fenton (Republican), 366,315; Hoffman (Democrat), 352,526; majority for Fenton, 13,789. The vote on the question of a constitutional convention stood: for the convention, 352,854; against, 256,364; majority for the convention, 96,490. The State Constitution of 1846 provided that the question of a constitutional convention be submitted to a vote at the several elections in 1866, and every twentieth year thereafter.

NICARAGUA. (See CENTRAL AMERICA.)

NITROLEUM, or NITRO-GLYCERINE. To the peculiar class of compounds characterized by their tendency under certain conditions to sudden disruption, so that gases contained in or generated from them are allowed to resume with violence their proper volume—a class of bodies hence known as detonating or fulminating, and of which several other nitrogen-containing compounds afford marked instances—*nitro-glycerine* is at least one of the latest additions; while it is doubtless the most powerful of such explosive agents as yet brought into practical use. This substance, discovered by Sobrero in 1847, and first experimented with as an explosive for blasting by Alfred Nobel, a Swedish engineer, in 1864, is a heavy liquid, of oily consistency, and of an amber or brownish color. It has been known, among other names, as "Nobel's blasting oil," "glonoin oil," and (most commonly) "nitro-glycerine;" while the unquestionably preferable term, *nitro-leum*, has recently been applied to it by Colonel Shaffner.

Nitro-leum is produced by adding glycerine in successive small quantities to a mixture (according to one account) of 1 volume of nitric acid (sp. gr., 1.43) and 2 of sulphuric acid (sp. gr., 1.83), the acids being meanwhile artificially cooled. Upon subsequently pouring the mixture into water, the oil, at once insoluble in and heavier than that liquid, separates and collects at the bottom of the vessel. Although as yet the accounts given of its composition differ somewhat, still this oil is probably glycerine in which a certain number of atoms of hydrogen are replaced by the compound radical  $\text{NO}_2$ ; and its formula (O. S.) has been stated as  $\text{C}_6\text{H}_5(\text{NO}_2)_3\text{O}_6$ . In presence of nascent hydrogen, sulphydric acid, and alkalis, nitro-leum separates into glycerine and (it appears) nitric acid. Its specific gravity is 1.6; and it is readily soluble in common alcohol, ether, methylic alcohol (wood-



naphtha), etc. Cooled for some time to about 5° C. (41° F., and, some have stated, even to 46°), the oil crystallizes in form of needles, forming a solid mass. The taste of nitro-leum is sweetish, pungent, and aromatic. It is very poisonous, a minute quantity of it swallowed or placed on the tongue producing violent and prolonged headache. Its vapor having a similar effect, the propriety of using the oil in the deeper and imperfectly ventilated parts of mines has been doubted.

When flame is applied to its surface, the oil burns like naphtha; and it does not explode by a spark falling into it. Spread on the earth, it is with difficulty inflamed, and burns partially. By a regulated heat it can be volatilized without decomposition; but if in such mode ebullition becomes brisk, or if a little of the oil be dropped on a plate just hot enough to cause immediate boiling, or if it be heated to 360° (perhaps, 320°) in a closed vessel, in any such case it explodes with great violence. When a drop of it is let fall on a plate only moderately hot, it volatilizes quietly; and, when the plate is extremely hot, it burns away quickly, without noise. It is said that a flask containing the oil can be smashed on a stone without causing detonation; yet, when paper moistened with it is sharply struck, a loud detonation results; and the most effectual means of exploding the oil is that of imparting a violent shock to it when in a confined state. Nitro-leum, however, especially when impure and acid—and its purification is a matter of some difficulty—tends to decompose spontaneously, with disengagement of gases and production of oxalic and glyceric acids. Being usually enclosed in well-stoppered bottles, so that the gases cannot escape, but must press on the liquid with increasing force, it is probable that under such circumstances it may explode from the shock caused by a very slight jar or motion; and it is undoubtedly in this way that some of the disastrous explosions of this oil, occurring without obvious cause, are to be explained; while in certain instances, causes of various sorts which have led to the heating of the oil may, by inducing or accelerating decomposition in it, have prepared the way for such result. Again, when the oil is in the frozen condition, it still explodes by a blow, and sometimes by mere friction; and repeated instances have already occurred in which, through ignorance or disregard of this fact, workmen operating with the solidified oil have lost either limb or life.

Nitro-leum is coming into use in parts of this country as a blasting agent, and in portions of Germany and Sweden it has already superseded all others; while in England, up to a recent date, it had not been practically employed. Since explosion cannot be produced with it, as with gunpowder, by the simple burning of a fuse, the earliest attempts were in the way of saturating powder with the oil, a considerable increase of destructive power being the result; but Mr. Nobel early hit upon the plan of exploding the

nitro-glycerine by the concussion of a small quantity of gunpowder placed directly over it, and fired by a fuse. Its destructive action, when so used, has been declared to be about ten times that of gunpowder.

In the early part of the summer of 1866, Colonel T. P. Shaffner conducted at Washington a series of experiments designed to test the explosive power of nitro-leum, and which fully confirmed the conclusion previously formed, as to its great superiority in this respect over gunpowder. Holes one inch in diameter and fifteen inches deep were bored in two similar cast-iron blocks, each weighing 300 lbs.; these were charged, the one with powder, the other with nitro-leum, and fired: the powder blew off through the fuse-vent, producing no further effect; the nitro-leum tore the iron to pieces, the action even extending downward from the bottom of the charge, so as to leave a cone of unbroken metal, the apex of which was the termination of the drill-hole. Four musket barrels were placed within wrought-iron cylinders, two filled with gunpowder, and two  $\frac{1}{2}$  filled with nitro-leum, and severally exploded: the former two were torn to pieces; but the explosion of the nitro-leum was so sudden and powerful that the barrels which had contained it were irregularly rent through lengthwise and flattened out, the iron appearing like rolled plate, even and polished. The experiments, including others not here named, appeared incidentally to prove that, while possessing some decided advantages over gunpowder, nitro-leum may be employed without greater danger than attends the use of the latter.

In practice, nitro-leum serves with both smaller and fewer blast-holes than powder, thus saving much of the labor of drilling; while the manner of its action is such that usually it does not project the rock, but lifts or parts it in masses a little way, allowing it to settle quietly back; so that there is less loss than with other explosives, and even the surface of the rock is but little bruised. It appears that a "nitro-glycerine company," having patented the manufacture of the oil in this country, have sold it at \$1.75 the pound; and although, in the quantities required, still more expensive than blasting powder, yet in view of circumstances just named, it is practically the more economical agent of the two. So far as bulk is concerned, it is readily transported, and the mode of its use is simple and—could it be entirely safe—without inconvenience; while it has been declared that, where its presence and nature are known, its dangers are only such as are due to ignorance or heedlessness as to the proper modes of handling it. It is to be regretted, however, that parties having to forward nitro-glycerine to a distance by land or water, have frequently done so without information of its character, or even under misleading or false names and forms of package—a practice from which in several instances accidents of the most lamentable nature have resulted.



On the 5th of November, 1865, some of this oil, contained in large bottles and packed in a box with sawdust, having been (it appears) shipped from Germany, passing under the name of "chemical oil," and which had been for some time stored in a room of the Wyoming Hotel, on Greenwich Street, New York, was found to be emitting a peculiar and offensive odor, and an appearance of red fumes or smoke; when, upon being carried hastily into the street, it almost immediately exploded, with such violence as to do considerable damage, and so that box and contents had alike completely disappeared.

The cause of the explosion in this case, considered by some to have been a spontaneous combustion of the oil, was more probably a spontaneous decomposition of some portion of it, producing gases and hence pressure—a change favored by heating of the contents of the box.

A considerable quantity of nitro-glycerine (some 70 cases) which, as was afterward ascertained, had previously been transported from Germany by way of Hamburg to Hull, and thence by rail to Liverpool, and which was then shipped on the screw-steamer "European," to Aspinwall, exploded at the wharf at the latter place, April 3, 1866, blowing up the steamer, destroying many lives, and doing much damage to the shipping near, and to buildings in the adjacent part of the town. If in this case the oil exploded through partial decomposition, that condition was doubtless favored by the heating in a tropical latitude of the ship's hold and contents. On the 16th of the same month, another fearful explosion, and which could only be traced to two boxes just landed from a steamer and showing traces of containing some oil, occurred at San Francisco; several persons near at the time were either killed or badly injured, and the damage to property was estimated at \$200,000. Many other serious accidents from this agent have occurred in Europe and this country. One, which took place at Rochester, N. Y., so lately as December 4, 1866, killing a workman and injuring several others, is instructive in view of the fact that it must have been caused by the mere concussion of the air within a tunnel, consequent on the discharge of a powder-blast, and that although the can of nitro-glycerine (25 lbs.) was at a distance of 50 feet from the blast, and in a cavity in the side of the tunnel.

Mr. Nobel, who has been in this country, and has experimented here with the blasting oil, names four principal reasons for the enormous explosive force it exerts: 1, its great specific gravity, so that the quantity of material in a given space is increased; 2, its richness in oxygen, securing complete combustion; 3, its perfect gasification, leaving no solid residue; and 4, the extraordinary suddenness of its explosion. He estimates that gunpowder, by combustion and expansion, gives practically a volume of gases 800 times that of the solid mass; but that nitro-glycerine, through the same

causes, should probably give a volume of gases 10,400 times that of the oil itself. In the same connection, it is stated that the now common mode of exploding the oil is by means of a safety-fuse, having a heavily-charged percussion cap at the end—a mode patented in France and some other countries.—*Scientific American*, Nov. 18, 1865.

In the journal just quoted, November 24, 1866, Col. Shaffner has a communication in reference to his experiments, made in August of the same year, in blasting in the Hoosic Tunnel, the rock being described as solid massed mica and quartz, with few seams, and the strata lying against the progress. He exploded the nitro-glycerine by aid of electricity, and succeeded in advancing much more rapidly with it than with gunpowder, both in the "bench," or bottom enlargement, and in the "heading;" and he concludes that "the Hoosic Tunnel can be finished in less than one-half the time, and for less than one-half the expense, by using nitro-glycerine." Col. Shaffner has estimated the explosive force of nitro-glycerine at 212,000 lbs. per square inch.

Since the earlier of the disasters previously named, it has been urged that the transportation of nitro-leum should be subjected to the same restrictions as is that of fulminating mercury and other like compounds. Meanwhile, facts of such nature appearing to necessitate the abandonment of the extensive use of nitro-leum as an explosive agent, two modes of obviating such necessity have been proposed. One of these is that of preparing the compound where it is to be used, a plan to which the considerable excess of materials required—the acids alone being of about three times the volume of the product obtained—can only be an objection in cases such as those requiring overland transportation to great distance, and in unsettled regions; the other is that of covering for the time by certain sorts of intermixture, as is done with gunpowder, the explosive properties of the oil itself.

Of the two plans named, the first was during the spring or early summer of 1866 adopted by MM. Schmitt and Dietsch, in working the great quarries of sandstone in the valley of the Zorn, lower Rhine; and at the time of the account given (*Comptes Rendus*, July 23—*Philosophical Magazine*, Sept., 1866), it had been in successful practice for six weeks. The process of preparation, devised with the aid of M. Keller, and established in a wooden cabin in one of the quarries, is as follows: In a vessel of sandstone, placed in cold water, fuming nitric acid of 49°–50° B. (1.51–1.53) is mixed with twice its weight of the most concentrated sulphuric acid. Commercial glycerine, but free from lime or lead, is evaporated in an iron pot to 30°–31° B. (1.26–1.27), the liquid then properly being syrupy when quite cold. A workman places 3,300 grammes (about 7.3 lbs.) of the mixed acids, well cooled, in a glass flask, a sandstone pot or porcelain basin, set in a bath



of cold water, and, constantly stirring, pours in slowly 500 grammes (about 1.1 lbs.) of the glycerine. It is essential that any perceptible heating of the mixture, as leading to oxidation, and forming of oxalic acid, should be avoided; and to this end the cold water without may require to be frequently renewed. The mixture completely effected, the liquid mass is after five or ten minutes turned into cold water, to which a rotatory movement has first been imparted. The nitrolem is rapidly precipitated as a heavy oil. Decanting it into a tall vessel, it is washed with a little water, which is then poured off; and the oil is put into bottles in readiness for use. As it is to be employed forthwith, the little acid and water remaining in it proves no disadvantage.

To detach with this explosive a layer of rocks, at a distance of about three yards from the edge a hole is drilled to about the same depth, and of some two inches diameter; this is cleaned out, and 1,500 to 2,000 grammes (about 3.3 to 4.5 lbs.) of nitrolem is introduced by means of a funnel. A small hollow cylinder of wood, card-board or sheet-iron, fitting easily into the drill-hole, about 2 to 2½ inches in length, containing gunpowder, and having a wick or mine-fuse inserted in it, and reaching into the powder, is by means of the fuse lowered until the feeling indicates that it has reached the surface of the oil. The fuse is then firmly held, while fine sand is run into the hole until the latter is filled to the top; it being unnecessary, however, to compress or tamp the sand. The fuse is cut a little way above the orifice, and fired; this in about 8 or 10 minutes inflames the powder, producing a shock which explodes the nitrolem: the explosion is so sudden that no time is allowed to project the sand; and, with a dull report only, the rock is fissured in various directions and detached. With the charges mentioned, 40 to 80 cubic metres of very resisting rock may be freed at one blast.

In respect to the other plan referred to, that, namely, of rendering the nitrolem temporarily non-explosive, Prof. C. A. Seely, of New York, has recently presented in the *Scientific American* a summary of the methods which have been proposed, including one suggested by himself. Nobel had proposed to mix the oil with wood-naphtha, the two liquids blending in any proportions required, and the oil being thus rendered non-explosive in respect both to percussion and heat. When required for use, the oil is thrown down by addition of water, and, being drawn off with a siphon, is found to have regained its explosibility. Among objections to this method are, the loss of some nitrolem, liability of the naphtha to volatilize, the possibility of chemical action between the two liquids, and the combustibility of naphtha and its vapor. Several persons have proposed to keep the nitrolem mixed with sand, which, besides dividing its mass, should conduct off heat; but this would greatly increase the bulk and weight of packages, and occasion much loss

of the oil. Dr. Henry Wurtz recommends to make a mechanical mixture or emulsion of the oil with some saline solution, as of nitrate of zinc, lime or magnesia, and of the same specific gravity, recovering for use by adding water; but it is not yet known how long such a mixture would be maintained. Mr. Seely proposes to prepare the nitrolem with greater care, so that it shall be entirely free from acids, and then, by keeping suspended within the oil a small quantity of some substance having of itself no action on the latter, but which should neutralize any acid that might be generated, to prevent all accumulation of such matters in the liquid. He believes this method to be an efficient preventive of [the effects of] spontaneous decomposition. He does not state what chemical agent would answer the required conditions; but he thinks that of such neutralizer 60 grains to the pound might be sufficient; that its addition would not interfere with the use of the oil, so that it need not be removed from it; and that the method is compatible with any of the others suggested, and should be adopted in connection with all of them. Indeed, he would not have nitrolem kept in store, unless first freed in some way from its most formidable property—the liability to spontaneous change.

Besides accounts in the foreign periodicals already named in this article, and in the *Chemical News*, the writer is indebted also to notices originally appearing in the *Scientific American*, the *Mining Journal*, and the *Artisan*, for information here presented, and to some extent for the language in which it is couched.

NORTH CAROLINA was the only Southern State in which the ordinances declaring null and void the act of secession, and prohibiting slavery in the State, as adopted by the conventions assembled under the President's proclamation of 1865, were submitted to the people for approval or rejection. To ratify the ordinance declaring null and void the ordinance of secession, 19,977 votes were given and 1,940 against it. To ratify the ordinance prohibiting slavery in North Carolina, 18,529 votes were given, and 3,696 against it.

On January 3, 1866, Governor Worth issued his proclamation requesting the General Assembly of the State to meet on the 18th. The urgent motive for this call was the opinion held by the Governor, that the term of all officers appointed by the provisional governor expired with his removal. The debt of the State at this time is shown in the following statement:

Old debt due and unpaid.....	\$364,000
“ not matured.....	9,385,500
Coupons past due and unpaid.....	3,000,000
Total ante-war debt.....	\$12,749,500
Add debt for internal improvement during The war.....	1,619,000
Total debt.....	\$14,368,000
Deduct assets.....	9,673,290
Balance.....	\$4,694,710



The assets above mentioned consist of stocks and bonds of railroads, which promise to become productive under a revival of trade and transportation. Taxation to meet the interest and expenditures was urged by the Governor upon the Legislature, more especially for the latter purpose. The value of the real and personal property of the people was estimated by the treasurer at \$250,000,000. To meet the portion of the debt due and becoming due in 1866, the Legislature at this session authorized the treasurer to prepare and sell at par 6 per cent. bonds, to the amount of three and a half millions of dollars, payable after thirty-four years. An act was also passed relative to negroes and persons of color. It defines the latter in these words: "Negroes and their issue, even where one ancestor in each succeeding generation to the fourth inclusive is white, shall be deemed persons of color." The act confers upon those persons the same privileges as are enjoyed by whites in all courts of law and equity. It removes all distinction of color in the application of the word apprentice; it ratifies the cohabitation of all former slaves into a state of marriage, and requires them to acknowledge the cohabitation before a justice of the peace or county clerk; makes all contracts, in which one of the parties is a person of color, and the consideration ten dollars or more, void, unless put in writing and witnessed by a white who can read; makes all marriages between whites and persons of color void; persons of color not otherwise incompetent, are made capable of bearing evidence in all controversies at law and in equity, where the rights of persons of color are at issue, and also in pleas of the State where the violence, fraud, or injury alleged shall be charged to have been done by or to persons of color. In all other cases the consent of parties is necessary to make the testimony admissible. A proviso suspends the operation of the section until jurisdiction in matters relating to freedmen is restored to the courts of the State. The criminal laws of the State affecting whites are extended to persons of color, except in cases otherwise provided. All acts relating to slaves and slave labor are repealed.

The reports of the banks of the State previous to the beginning of 1865, showed \$800,000 in specie in their possession, and that they owed to holders of their notes and depositors \$8,550,000, and that there was due to them for discounts, before the war, about \$3,000,000, and, since the close of the war, about \$3,000,000. The University and the Board of Literature had large amounts in the two principal banks. By an assignment, or *pro rata* distribution, the note-holders and depositors would receive about ten cents on the dollar in specie. A joint committee on banks, in the Legislature, reported that their coin was the basis of their contracts, and to interfere with it would be a violation of contract. They further said that, after investigating the subject, they were of opinion that all, or nearly all, of the corporations of the

State had ceased as corporations to exist, as a legal consequence of the revolution and the complete conquest of the State. They further sustained this opinion by the following argument:

It is a well-settled principle of international law (so well settled it is unnecessary to refer to authorities), that in a conquered country all laws and all rights of persons and property cease to exist, except such laws and such rights as the conqueror chooses to decree. No one will deny that the South was conquered, and surrendered without terms. No one can doubt that, in the opinion of President Johnson, we were a conquered people, and that he, as commander-in-chief of the armies of the conquering power, had a right to decree such laws as to him seemed best. He refused to accept the terms offered by General Sherman to recognize North Carolina as a *de facto* government. He proceeded, in a manner unknown to our laws, to appoint a provisional governor. Without the forms of law he deprives the people of the State of two-thirds of their property without "just compensation." He declares in his proclamation, not that a part of the civil laws were at an end, but that "all civil government" was at an end in North Carolina. He provided for a call of a convention, not in accordance with our constitution, prescribing qualifications for delegates and voters in a manner unknown to our laws. In obedience to the will of the President, the provisional governor declares all civil offices in the State vacant, and proceeds to fill the same, prescribing officers for corporations, and qualifications for stockholders in said corporations as voters, or proxies; regulates our courts, when and where to be held, and what subjects shall be cognizable before them. In obedience to the proclamation of the Governor, a convention assembled, which convention, by its acts, accepts of and recognizes the fact that it was called by the authority of the President as a conqueror, and proceeded to act according to the said terms, receiving messages and dispatches from the President controlling the action of the convention in matters of vital importance to the people of the State, abolishing slavery, removing all civil officers, and declaring by ordinance, that "Whereas, doubts may arise from the late attempt of North Carolina to secede from the United States, whether any and what laws have been and now are in force," etc., and ordaining by said ordinance all laws not inconsistent with the constitution of the United States, etc. The Convention gives legality to the principle that it was decreed by the President as conqueror; otherwise, we have had no convention. There is now no civil government, no legislature, as all owe their existence to the permission of the President, and not to constitutional forms. This idea of the supreme power of the President has been acquiesced in by the people, by the convention, and is now recognized by the Legislature enacting such laws as are decreed by the President, he not only recommending, but demanding such and such measures as a condition precedent to civil government. Measures at variance with what we deem to be our best interest, and repugnant to all of our feelings, have been, and are continually being enacted, simply because it was so decreed by the President. It is our interest to continue to conform to the decrees of the President.

What, they ask, is the legal effect of the ordinance declaring what laws are in force on corporations, it being admitted by the whole theory of the government, and impliedly in said ordinance, that during the revolution charters of corporations with all other laws ceased to exist. With the consent of the President, the convention could ordain charters for corporations, but



being in the nature of a contract between the State and its citizens, the corporations could accept the charters or not, but until accepted the ordinance is of no effect. No stockholders accepted the ordinance of the convention, nor are they expected to. The committee therefore concluded that the charters of the banks had expired and could not be renewed.

At this session, the Legislature appropriated \$20,000 for the Institution of the Deaf and Dumb and Blind, yearly, for 1866 and 1867; it also appropriated \$7,000 for the use of the University; an act was passed incorporating the trustees of the General Assembly of the Presbyterian Church of the United States; also, to accept the donation of Congress to provide colleges for the benefit of agricultural and mechanic arts; also, to punish vagrants; also, to secure to laborers in agriculture their wages in kind when the contract is for the same; also, to prevent enticing servants from fulfilling their contracts; also to establish workhouses and houses of correction in the several counties; also, to incorporate a college for the education of black teachers and ministers of the Gospel. Resolutions were passed to furnish artificial limbs to the officers and soldiers of the State; to adopt the amendment to the Federal Constitution, Art. 13, in the sense that it does not enlarge the powers of Congress to legislate on the subject of freedmen within the State; also, of thanks to President Johnson, "for the manly, patriotic, and statesmanlike position which he had taken in vetoing the unconstitutional act of Congress extending the powers of the Freedmen's Bureau." On the 12th of March the Legislature adjourned.

On May 24th the State Convention reassembled in an adjourned session. A resolution was offered that it adjourn *sine die*, for the reasons that it was called at the instance of the President as commander-in-chief of the army and navy, that the State, by altering its constitution in conformity with the necessities of the war, might be restored to the Union; that this purpose had been satisfactorily accomplished; that this was moved in anticipation that further occasion for its services might arise, and that all measures to regulate further the internal policy of the State by a convention called in this manner, would be subversive of the Constitution and revolutionary. This resolution was laid on the table by a large majority. The Governor sent a message to the convention relating the history of affairs since their adjournment, and stating that no event anticipated, and which might require their presence, had taken place. He further stated, that the General (John C. Robinson), in supervision of the freedmen's bureau, was desirous to give to the civil courts full jurisdiction of all matters relating to the freedmen, but was prevented by certain provisions of the act of the Legislature relating to negroes, etc., above mentioned. These provisions limited the extent to which negro testimony might be admissible, and made

the punishment for rape of a white woman by a black, to be death, thus discriminating between whites and blacks. The convention at this session removed the objections, and the jurisdiction of freedmen was subsequently transferred to the civil courts, except in relation to contracts for wages. The convention at its previous session passed an ordinance exempting from civil prosecution all officers and soldiers of the Confederate army for acts done by them under orders of superiors. An ordinance was now introduced, extending universal amnesty to all crimes less than capital felonies committed before May, 1865. The constitution of the State having been previously several times amended, a committee was appointed to revise and consolidate it. In the bill of rights reported from the committee, one section declared that "no freedman shall be convicted of any crime but by the unanimous verdict of a jury of good and lawful men in open court, as heretofore used." As this provision would make every offence, however trivial, triable by a jury, it was moved that the Legislature should have power to provide for other modes of trial in misdemeanors with the right of appeal. A debate during two days ensued, when the amendment was adopted, yeas, 58; nays, 48. The convention proceeded to make a radical revision of the constitution of the State, and closed by requiring their work to be submitted to the people for approval or rejection on the 2nd day of August ensuing. On July 1st, the Governor issued his proclamation ordering the proper officers to hold the election. A very able discussion ensued in the newspapers on the power and authority of the convention to alter or revise the constitution. Those who objected to the action of the convention did so on the ground that the convention was constituted by President Johnson in his military capacity, and that the constitution was legally in force in the State, and binding on the people, and they urged, 1st, That it was not a legitimate convention, and had no power to make a new constitution, or alter or amend that which existed. 2d, As the convention had no legitimate existence, its acts cannot be rendered valid by popular sanction. 3d, Admitting that the President of the United States had the power legitimately to call a convention of the people of the State, still, as the convention so called by him was limited to the consideration of certain subjects, it had authority to consider such subjects only: it was a *limited* and not an *unlimited* convention, and every attempt thereof to exercise powers not conferred upon it is null and void. The reply of those who sustained the action of the convention was, that, "if it was a valid convention for any purpose, then it was valid to all intents and purposes." On the day of the election the revised constitution was rejected by a majority of 1,982 in a total vote of 41,122.

The annual election of State officers is on the 2d Thursday of Aug. Those who were op-



posed to the reelection of Governor Worth assembled at Raleigh on September 20th, under the designation of "the Union Mass Meeting," and nominated Alfred Dockery for Governor. The following, among other resolutions, were adopted:

*Resolved*, That, in order to secure the reestablishment of the State in the Federal Union; the speedy restoration of all rights, privileges, and immunities of her loyal citizens, and the final adjustment of the governmental relations of her whole people in harmony with the National Government, the amendment proposed by the present Congress, as article 14th, to the Constitution of the United States, as a condition precedent to these ends, should be accepted and ratified by the General Assembly of North Carolina.

*Resolved*, That, having full confidence in the justice and magnanimity of Congress that, upon the ratification of said proposed amendment, the disability to hold, or to be eligible to office imposed therein, will be, in every proper case, removed, without discrimination as to any class or party of our fellow-citizens on account of their antecedents, and that the State of North Carolina will be forthwith readmitted to the Union, we would respectfully urge upon our whole people to consider, and demand that the same be ratified by their representatives in the next General Assembly.

On the next day General Dockery declined to be a candidate. He, however, expressed his approval of the resolutions and address of the meeting, and also said:

I greatly prefer the Howard amendment, with its reference of negro suffrage to our own Legislature, than to risk the next Congress, which, in all probability, will pass a much more stringent law upon that subject.

I also vastly prefer the restrictions upon officeholders, about which the secession organs clamor so much, to more general proscription, with the confiscation of our lands, of which there is great danger, should the proposed amendment be rejected.

Governor Worth was renominated without other opposition. At the election Governor Worth received 32,067 votes, and General Dockery 9,858; Worth's majority, 22,209. A Legislature was chosen at the same election. This body assembled at Raleigh on November 20th. The Governor addressed them with a message in which he declared that law and order existed throughout the State; that the civil authorities were able to impose punishment on all offenders; that the courts were in operation as efficiently as before the war, and that justice was administered to all classes. He expressed his opposition to negro suffrage and the amendment of the Federal Constitution, and recommended that aid be given to the freedmen to emigrate to any of the Northern States they might choose. The following resolutions were, at an early day of the session, introduced to the Legislature and passed unanimously:

*Be it resolved by the Senate and House of Commons of the General Assembly of North Carolina*, That we, the representatives of the people of North Carolina, feel it to be an imperative duty to those we represent, under existing circumstances, when grave and important questions are pending in reference to the restoration of the State to the Federal Union, to vindicate the loyalty and good faith of the people of North Carolina, and to solemnly declare, that, on ac-

cepting the issue of the late conflict of arms, and in submitting to the authority of the Government of the United States, they did so in entire candor and good faith, which have been made manifest in the character and conduct of our people in relation to the Federal Government; and they also declare that all imputations or doubts as to the loyalty and good faith of the people of North Carolina are alike unjust to the people of the State, and injurious to their true interests.

*Resolved*, That it is the most ardent wish of the people of North Carolina to be restored to all their constitutional rights and relations under the Federal Government, and that no honorable exertions shall be wanting on their part, or that of their constituted authorities, to accomplish that great end, which they believe to be identified with the permanent peace and prosperity of our whole country.

*Resolved*, That it is also the ardent wish of the people of North Carolina to be restored, not only to their constitutional relations to the Federal Government, but to relations of peace and concord with all the people of the United States, that the differences of the past may be buried in oblivion, and that the good and patriotic of all sections of our country may unite in the restoration of our noble and excellent form of government, as the lasting pledge of peace and union in the future, as it has been in the past.

A convention of colored delegates from various parts of the State assembled at Raleigh on October 1st to consider measures for the mental and political elevation of their race. The Governor, among others, was invited to address them, and spoke as follows:

In the first place, let me assure you, that I am disposed to do every thing I can, as a citizen, and as Governor, to protect you in all your rights, and to encourage you to be industrious, to educate your children, and to make yourselves respectable and happy; and while you may expect my protection, while you do right, I shall be equally ready to have those punished who do wrong.

You are very poor. Your first care should be, by industry and economy, to provide good supplies of meat and bread, and devote all you can spare to educate your children; and remember that it is the common interest of both races that no enmity be allowed to grow up between them. As far as I know, the general feeling of your late masters is kind towards you. The whites feel that they owe you a debt of gratitude for your quiet and orderly conduct during the war, and you should endeavor so to act as to keep up this kindly feeling between the two races.

Let me advise you not to meddle in governmental affairs. You know how few of your race are now capable of understanding matters of this sort, and you see the strifes and troubles in which party politics have involved the whites. Avoid politics. Practice industry, virtue, and cultivate the kind feeling which now exists between the races, and you will thus acquire competence and elevate your condition.

NORTHBROOK, Rt. Hon. FRANCIS T. BARING, first Lord, an English statesman and scholar, born at Stratton Park, near Winchester, April 20, 1796; died there September 6, 1866. He was a descendant of the great family of Barings, was educated at Winchester and Christ Church, Oxford, where he graduated with high honors in 1821; studied law, and was called to the bar at Lincoln's Inn, in 1823. In 1826 he was elected for the borough of Portsmouth, in the Whig interest, representing it for forty years continuously in the House of Commons.



In 1830 he was appointed one of the Lords of the Treasury, holding the office four years, when he relinquished it to become one of the joint secretaries thereof. In 1839 he accepted the post of Chancellor of the Exchequer, and in that capacity took a prominent part in carrying out the arrangement for the penny-postage system, which had been commenced by his predecessor, Lord Monteagle. In 1849 he undertook the office of First Lord of the Admiralty, which he held for a term of three years. At the last general election for members of Parliament, Lord Northbrook, in a graceful address to the electors, declined to be again a candidate. Nearly a year before his death he was raised to the peerage, being created Baron Northbrook of Stratton, in the county of Southampton. He was a man of refined and educated tastes, and particularly fond of classical studies, for which he was distinguished in early life.

NORTH GERMAN CONFEDERATION.  
(See GERMANY.)

NORWAY. (See SWEDEN.)

NOTT, ELIPHALET, D. D., LL. D., an American clergyman and educator, for sixty-two years president of Union College, born in Ashford, Windham county, Conn., June 25, 1773; died in Schenectady, N. Y., January 29, 1866. His paternal grandfather was a clergyman of Saybrook, Conn.; and his father was for many years in the mercantile business, but a series of misfortunes reduced him to poverty at a time when the son needed his aid in obtaining a liberal education. His mother, however, was a woman of fine culture, and did much towards stimulating his love for learning, and turning his mental faculties in the right direction. He studied Latin and Greek under the guidance of his brother, Rev. Samuel Nott, for more than threescore and ten years pastor of the Congregational church, of Franklin, Conn. When about sixteen years of age, he took charge of a school in Plainfield, Conn., at the same time pursuing his classical and mathematical studies under the Rev. Joel Benedict, D. D., whose daughter he afterwards married. On leaving Plainfield he spent one year in Brown University, Providence, and during that time was at the head of his class in mathematics and the languages. He graduated out of due course in 1795. Returning to his brother's, at Franklin, he studied theology, and the same year was licensed to preach by the New London Congregational Association, which sent him as a missionary into the then desolate part of New York bordering upon Otsego Lake, when he established a flourishing academy at Cherry Valley, and acted in the double capacity of preacher and teacher for nearly three years. In 1798, upon a visit East, he received and accepted a call from the First Presbyterian Church of Albany, where he labored successfully until 1804, when he was invited to assume the presidency of Union College. The institution was yet in its infancy—its corporate exist-

ence dating from 1795—and when he took charge of its affairs, it was without funds, suitable buildings, library, or philosophical apparatus, and involved in debt. He devoted all his energies at once to the work of removing these disabilities, and providing for these pressing needs. Through his persistent efforts, the State Legislature passed a law, in 1814, which laid the foundation for the future success of the institution. The amount of financial aid thus afforded to the college was to be derived from a lottery, a method of raising money then regarded as legal and unexceptionable. The management of this lottery was confided to Dr. Nott, and by him conducted with great ability, though the complications which resulted from his investment of the proceeds of it subsequently caused him great trouble and anxiety. The investments, though not in all cases immediately productive, eventually greatly enhanced the amount of the endowment of the college, and when, a few years since, at Dr. Nott's own instance, a searching investigation was made of his whole financial management, extending over a period of almost forty years, his foresight, ability, and care for the interests of the institution, were amply vindicated. After this investigation was concluded, Dr. Nott crowned his years of solicitude and liberality in his management of the affairs of the college, by a further endowment of property valued at \$500,000 from his own private fortune. During his long incumbency upwards of 4,000 young men graduated from the institution, and it may safely be said that from no American college of the same age has there gone forth a greater number of men who have conspicuously succeeded in the political, the commercial, the ecclesiastical, or, to speak generally, the more active and business avocations of the land. Widely as they were scattered, various as might be their occupations, and conflicting as were their views on other subjects, all agreed in respect, veneration, and love for him whose teachings and counsels they had so long enjoyed. But preëminent as Dr. Nott stood as an educator, he deserves grateful recognition for his efforts for the good of mankind in other departments. His labors in the temperance reform, both by voice and pen, and his various and long-continued experiments on heat, with the view of applying it to useful and economical purposes for human benefit, if not as successful as he had hoped, evince the fertility of an intellect which loved to task itself for the good of others. As a preacher, his style of thought, his manner, his elocution, his action, were all his own—the chief characteristic being his impressiveness. In 1805 the College of New Jersey conferred upon him the title of D. D., and in 1828 he received that of LL. D. His principal published works are a volume of lectures on temperance, and several occasional discourses, the most celebrated of which are, that on the "Death of Hamilton," and one delivered before the General Assembly of the Presbyterian Church.



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OBITUARIES, AMERICAN. *Jan. 1.*—SKINNER, Dr. P. H., a blind man, editor of the magazine "The Mute and the Blind," died at Trenton, N. J. He was a native of Plattsburg, N. Y., and the first instructor of poor colored deaf mutes and blind, for whose sake he sacrificed all his property.

*Jan. 1.*—STILLMAN, THOMAS B., an eminent engineer and mechanic, and one of the founders of the Novelty Iron Works, died at Plainfield, N. J., aged 59 years. He may be called the father of coast navigation in this country, having established the first line of steamships on our coast—the Southerner and Northerner—carrying passengers and freight between New York and Charleston, S. C. During the war he was United States inspector of steam-vessels for the New York district, and superintendent of construction of revenue cutters. His last work was to put twelve armed steam-cutters afloat in place of the sailing vessels heretofore used. He was also president of the Metropolitan Savings Bank, trustee for nearly twenty years of the New York Hospital, and associated in many other public charities. His life was one of ceaseless activity and usefulness, and his services in behalf of the Government during the war, and since, have been so arduous, that his life has been as much a sacrifice for his country as if he had fallen on the field of battle.

*Jan. 3.*—MCKENLY, Hon. JACOB KERLIN, member of Congress from Pennsylvania, died at Douglassville, Pa., aged 42 years. He graduated at Yale College in 1848, and two years later at the Law School; was admitted to the bar of Pennsylvania in 1851, and entered upon the practice of his profession in Douglassville, and afterward in Reading. From 1856 to 1859 he was District Attorney for Berks County, and in 1860 member of Congress for the Reading district.

*Jan. 5.*—HICKEY, Gen. WILLIAM, Chief Clerk of the United States Senate for 42 years, died in Washington, D. C., aged 70 years. He descended from an old Maryland family, and from men who left England with Lord Baltimore, on account of their devotion to the Roman Catholic Church, and was himself a prominent Catholic. He was a man of sterling integrity, and his wonderful knowledge of parliamentary law and political history made him an invaluable officer. He was the author of a work on the Constitution, which was adopted by Congress as a text-book, and was a frequent contributor to the newspapers of the day. He was general of militia in the District of Columbia.

*Jan. 5.*—STRONG, CYRUS, a banker and prominent citizen of Binghamton, N. Y., died in that place, aged 88 years. He was a native of Colchester, Conn., and at the age of sixteen entered into the iron business, and seven years

after opened a store at Jericho, now Bainbridge, N. Y. In 1810 he transferred his business to real estate and private banking, and in 1826 removed to Norwich, and became interested in the Chenango Bank, and subsequently in the establishment of the Wayne County Bank. In 1831 he removed to Binghamton, and became president of the Broome County Bank, which office he held until his death.

*Jan. 8.*—PURDY, Hon. ELIJAH F., a prominent Democratic politician, and popularly known as the "War-Horse of the Democracy," died in New York City, aged 70 years. He was a native of Westchester County, but removed to New York in 1819, commencing business as a carman. Subsequently he entered the grocery trade, and met with much success. His political career commenced during the election campaign when Andrew Jackson was for the first time a candidate for the Presidency, and he was noted for his boldness in the assertion of his principles, his firm adherence to the right, and his never-failing integrity; while his comprehensive knowledge of political history, and his familiarity with the laws and ordinances of the city and county governments, gave his opinions great weight and influence.

*Jan. 13.*—SOLGER, Dr. REINHOLD, a Hungarian patriot, scholar, and lecturer, died in Washington, D. C. He came to the United States with Kossuth, and for some years was Assistant Register of the U. S. Treasury.

*Jan. 13.*—SWANN, Lieut. ROBERT P., of U. S. receiving-ship Vermont, committed suicide in a fit of insanity, at the Brooklyn Navy Yard, aged 25 years. He was a native of Maryland, enlisted early in the war as master's mate, was in most of the naval battles of the Mississippi, and subsequently in the siege of Charleston, and the South Atlantic blockading squadron, when he commanded the Potomaska. He headed several expeditions into the country, and rendered such valuable services, that a general order of thanks was read on the quarter-deck of each vessel. He was for a time in command of the Ladona, afterward the Shawmut, and finally attached to the receiving-ship Vermont, at New York.

*Jan. 14.*—JUDAH, Brevet Col. HENRY M., U. S. A., Brig.-Gen. Vols., died at Plattsburg, N. Y., aged about 42 years. He was a native of Maryland, but was appointed to West Point from New York, and graduated in July, 1843. During the war he was connected with the army in the West as brigadier-general and division commander, and was very active in the pursuit of Morgan in his raid into Kentucky, Indiana, and Ohio, in 1863. At the time of his death he was commandant at Plattsburg.

*Jan. 15.*—ROBBINS, GEORGE STILLMAN, an eminent New York banker (G. S. Robbins & Son), died at his residence, aged 70 years. He



was a native of East Granby, Conn., studied law at Hartford, and, removing to New York, entered into the dry goods importing and jobbing business. Since 1842 he has been in the brokerage business.

*Jan. 15.*—STEVENS, Dr. HIRAM F., an eminent physician, died at St. Albans, Vt., aged 40 years. He was educated at the University of Vermont, was a successful practitioner, and had frequently represented his town and county in the State Legislature; was president of the Vermont Medical Society, and Commissioner for the Insane.

*Jan. 15.*—CHOATE, RUFUS, Capt. U. S. Vols., died at Dorchester, Mass., aged 32 years. He was a son of the late Hon. Rufus Choate, was born in Salem, Mass., graduated at Amherst College in 1855, was admitted to the bar in Boston, 1858, and in 1861 entered the volunteer service as second lieutenant Massachusetts volunteers. He took part in the prominent battles of Winchester, Cedar Mountain, and Antietam, and for good conduct was promoted to a captaincy, but in 1862 was obliged to resign on account of ill-health.

*Jan. 18.*—DAVIS, Hon. JOHN G., member of Congress from Indiana, died at Terre Haute, aged 55 years. He was a native of Fleming County, Ky., but removed with his parents to Indiana when yet a boy. Before attaining his majority he was elected sheriff of his adopted county, and afterward clerk, which office he held twenty-one years. In 1850 he was elected to Congress, in which body he served four years with more than ordinary distinction.

*Jan. 20.*—MORGAN, Col. CHRISTOPHER A., Inspector-General of the Department of Missouri, died of asphyxia, from the escape of gas from a coal-stove in his room at St. Louis. He entered the service as captain in the Thirty-ninth Ohio Vols., and in August, 1861, was attached to the staff of Maj.-Gen. Pope. Since June 30, 1862, he was an additional aide-de-camp, with the rank of colonel, and being from time to time assigned to varied and important positions, fulfilled the trusts reposed in him with rare fidelity and ability.

*Jan. 20.*—OTTOLENGIN, MRS. HELEN ROSALIE RODRIGUEZ, a Southern authoress and periodical writer of much merit, died in Charleston, S. C., aged 23 years.

*Jan. 23.*—COOLIDGE, Brevet Lieut.-Col. RICHARD H., surgeon U. S. A., and medical director of the Department of North Carolina, died at Raleigh, N. C., aged about 50 years. He was a native of New York, and was appointed assistant-surgeon from that State in 1841. He was a man of thorough loyalty and patriotism, and of superior abilities, both as a surgeon and a medical writer. He was a son-in-law of Commodore Morris.

*Jan. 23.*—HAWLEY, CHARLES, an eminent lawyer of Connecticut, died at Stamford, Conn., aged 74 years. He was born at Monroe, Conn., graduated at Yale College, in the class of 1813, studied law at Newtown and Litchfield, and in

1816 commenced the practice of his profession in Stamford, continuing it with marked success until his death. He served repeatedly in both branches of the State Legislature, was one of the presidential electors in 1829, and in 1837 was elected Lieutenant-Governor.

*Jan. 23.*—THOMPSON, Hon. OSWALD, an eminent jurist, presiding judge of the Court of Common Pleas, died of apoplexy in Philadelphia, aged 57 years. He was a native of Philadelphia, graduated at Princeton College in 1828, studied law under the direction of Hon. Joseph R. Ingersoll, and was admitted to the bar March 27, 1832. In December, 1851, he was made presiding judge of the Court of Common Pleas of the County of Philadelphia. To this high and important position he brought every requisite qualification. He was ample in learning, penetrating, and full of resource in grappling with difficult cases, but very cautious, fearing to err. His integrity was pure and unswerving, his love of justice surpassing his pride of opinion, and his devotion to the arduous duties of his position so untiring, that in all probability his life was a sacrifice thereto. Judge Thompson was elected a member of the Historical Society, was a trustee of the General Assembly of the Presbyterian Church, and of the University of Pennsylvania, a member of the American Philosophical Society, and received the degree of LL. D. from Jefferson College.

*Jan. 24.*—BOORMAN, JAMES, an eminent New York merchant and philanthropist, died in that city, aged 83 years. He was a native of Kent County, England, but came to this country with his parents when about twelve years of age. He was first apprenticed to Mr. Divie Bethune, and subsequently entered into partnership with him in 1805. This connection was afterward dissolved, and Mr. Boorman, in connection with John Johnson, formed the well-known firm of Boorman and Johnson, for many years one of the most prominent and influential firms in New York City. For many years they almost entirely controlled the Dundee trade, and their subsequent transactions in Swedish iron and Virginia tobacco were well known. Mr. Boorman was one of the pioneers and prime movers in the construction of the Hudson River Railroad, and was for many years its president. He was also one of the founders of the Bank of Commerce, and his name stands first in the list of the first board of directors of that institution. Retiring in 1855 from the immediate cares of business, he did not lose his interest in the public good, but continued, and perhaps increased, his large and always unostentatious benefactions. The Institution for the Blind, the Protestant Half Orphan Asylum, the Southern Aid Society, and the Union Theological Seminary were among the recipients of his bounty. He was also a liberal supporter of the Church, and of most of the causes peculiarly her own; and in the recent dark hours of his country's trial he was resolute in maintaining her cause, and this while cherishing a warm



regard for many in the South, with whom he had friendly intercourse in happier days.

*Jan. 25.*—HEYER, REV. WILLIAM S., a clergyman of the Protestant Reformed Dutch Church, died at Newburg, N. Y., aged 68 years. He was a native of New York City, graduated at Columbia College in 1815, completed his theological course in the spring of 1821, and in 1823 was ordained and installed pastor of the Reformed Dutch Church of Fishkill, where he remained until 1851, when ill-health compelled him to resign, and soon after he removed to Newburg. He was an eminent scholar and an able preacher.

*Jan. 27.*—CRELE, JOSEPH, the oldest man in America, died at Caledonia, Wisconsin, aged 141 years. He was born of French parents, in what is now Detroit, but which was then only an Indian trading-station, in 1725. The record of his baptism in the French Catholic church in that city establishes this fact. He was a resident of Wisconsin for about a century, and was first married in New Orleans in 1755, when thirty years of age. A few years after his marriage he settled at Prairie du Chien, while Wisconsin was yet a province of France. Before the Revolutionary War, he was employed to carry letters between Prairie du Chien and Green Bay. He bore arms at Braddock's defeat, and was an old man when Jackson defeated Pakenham at New Orleans. A few years ago he was called as a witness in the Circuit Court of Wisconsin, in a case involving the title to certain real estate at Prairie du Chien, to give testimony in relation to events that transpired eighty years before, and many years before the birth of the litigants. For some years past he had resided at Caledonia with a daughter by his third wife. He was sixty-nine when she was born. Up to 1864 Mr. Crele was as hale and hearty as most men of seventy. He could walk several miles without fatigue, and was frequently in the habit of "chopping" wood for the family use. The only weakness of mind which he ever betrayed was in the last year or two of his existence, when he frequently remarked, with a startling air of sadness, that he feared that perhaps "death had forgotten him."

*Jan. 28.*—CHANDLER, HON. THOMAS, an American statesman, died at Bedford, N. H., aged 93 years. He was a native of that town, and educated as a farmer. In 1817 he was elected State Senator, and held that office several years. He was also at various times a member of the lower House of five State Legislatures, commencing as early as 1821, and closing with the year 1842. In addition to these civil honors, he was elected a Representative to Congress, in 1829 and reelected in 1831.

*Jan. 28.*—GRIER, WILLIAM P., surgeon United States Navy, was lost by the explosion of the Miami, near the mouth of the Arkansas River. He was a son of Justice Grier, of the Supreme Court of the United States, and received an appointment as surgeon in the regular army in

July, 1862, and served in the office of the assistant surgeon-general at St. Louis. He was with Pope in his Virginia campaign, and with McClellan at Antietam. During 1864 and 1865 he was assistant medical director in the Department of Philadelphia. The only incident known of his death was that a group of officers were seated around the stove on board the steamer Miami, opposite Napoleon, on the Arkansas River, about eight o'clock on the evening of the 28th, when the explosion occurred, and no member of the group was ever seen again.

*Jan. 29.*—ELMENDORF, REV. ANTHONY, D. D., an eminent clergyman of the Reformed Dutch Church, died in Brooklyn, N. Y., aged 53 years. He was a native of Ulster County, N. Y., and descended from an ancestry connected with the first settlement of that region. He graduated with honor at Rutgers' College, N. J., in 1836, and afterward at the Theological Seminary at New Brunswick. In 1839 he was licensed to preach, and subsequently was pastor of the churches in Hurlay and Hyde Park, and soon after 1847 removed to Brooklyn, N. Y., where he labored with great acceptance until 1851, when a new organization was formed under his auspices. This new church grew rapidly, and to its welfare he devoted all his energies for thirteen years, until failing health obliged him to resign. He was an earnest worker, an able preacher, and had a strong hold upon the affections of the community.

*Jan. —.*—HUBBARD, W. B., an eminent lawyer and millionaire, died at Columbus, Ohio, aged 71 years. He was a native of Lowville, N. Y., emigrated to Ohio when a boy, and became distinguished as a scholar, and also as a financier.

*Jan. —.*—ROMAN, ANDRÉ BIENVENU, ex-Governor of Louisiana, died in St. James Parish, La., aged nearly 71 years. He was a native of the Parish of St. Landry, La., though his ancestors were originally from Provence, France. In 1818 he was chosen to the House of Representatives, and continued to be rechosen for successive terms without opponent. He was elected Speaker, and had served four years in that place, when he resigned, on being appointed, by Governor Johnson, parish judge for St. James. He held the office for two years, resigning it in 1828 to be returned again to the House of Representatives, where he was again elected Speaker. In 1830 he was elected Governor of the State, and entered on the duties of the office in January, 1831. By the constitution of 1812, the Governor of the State was not eligible for a second term. When Governor Roman retired in 1835, by constitutional limitation, the two Houses of the Legislature voted him thanks for the manner in which he had discharged his high duties, and the citizens of New Orleans entertained him at a public dinner. Governor Roman was a member of the convention which passed the ordinance of secession, but he was among those who disapproved of the policy of secession, and voted against the passage of the



ordinance. Having done what he could to avert the act, he announced with much feeling his intention to go with his State. Having taken his side, he received immediately from the provisional government, at Montgomery, a commission with the Hon. John Forsyth and Martin J. Crawford, of Georgia, to proceed to Washington and open conference with the Government of the United States. The object was frustrated by the refusal of Mr. Seward to receive them. From that time he resided in Louisiana, and took no part in public affairs.

*Feb. 1.*—GREENE, MRS. ELIZABETH C., daughter of John Singleton Copley, the celebrated painter, died in Boston, aged 95 years. She was a native of Boston, and sister of the late Lord Lyndhurst, and the widow of Gardner Greene.

*Feb. 4.*—BUCHARD, REV. ELY, a Presbyterian clergyman and teacher, died at Clinton, Oneida County, N. Y., aged 78 years. He was a native of West Springfield, Mass., but early removed with his parents to Oneida County, was educated at Hamilton Academy, and graduated at Yale College, with the highest honors. Soon after leaving college, he had for a time charge of the academy at Onondaga, but subsequently devoted his attention to the study of theology, and in 1817 was licensed to preach by the Oneida Association. His first pastorate was over the church in Augusta, N. Y., where he labored with great success for several years. The larger portion of his life, however, was devoted to teaching, for which he was eminently fitted, being a fine scholar, especially in the ancient classics.

*Feb. 5.*—SAMPSON, WILLIAM M., Chief Justice of Kentucky, died at Glasgow, Ky. He was an able lawyer, and admirably fitted for the exalted judicial station to which he had recently been called.

*Feb. 7.*—EDWARDS, REV. JESSE, a Presbyterian clergyman, died at Plover, Wisconsin, aged 47 years. He was a native of Bath, N. Y., graduated at Nassau Hall College, Princeton, in 1842, and subsequently became a tutor there. After a few years he settled as a pastor in Western New York, and subsequently removed to the West and became a domestic missionary. From thence he was called to the professorship of the Latin and Greek languages in Carroll College, Wisconsin, and afterward to the pastorate once more. He was distinguished for thorough and profound scholarship, and especially for his knowledge of biblical literature.

*Feb. 9.*—HINKLEY, HOLMES, a pioneer locomotive builder, died in Boston, aged 75 years. Upon the completion of his first locomotive he found difficulty in obtaining a purchaser, as at that time railroads themselves were an unsolved problem; but his faith in the future wants of the country was so great, that he undertook the construction of four more, and before their completion railroads were felt to be a necessity, and his "Hinkley" engine was among the foremost in the country. Subsequently seven hundred and thirty-seven were delivered from his works.

*Feb. 11.*—CARY, ROBERT, father of Alice and Phoebe Cary, died at Clovernook, near Cincinnati, aged 80 years. He was one of the first settlers of Cincinnati.

*Feb. 11.*—MORSE, HON. ISAAC E., formerly Attorney-General of Louisiana, died in New Orleans, aged 57 years. He was born at Attakapas, Louisiana, first went to school in New Orleans, afterward in New Jersey, and still later joined the Military Academy at Norwich, Vermont, under the direction of Captain Partridge. He removed with the school and its instructor to Middletown, Connecticut, and in the autumn of 1828 entered the senior class at Harvard College. Graduating with high honors in the class of 1829, he engaged in the study of law in New Orleans, and subsequently travelled in Europe. On his return he soon emerged in political life, first as a member of the State Senate, then in the Congress of the United States. He was in his earlier time "a firm and consistent Jackson man," and always a Democrat, strong in his belief, but never bitter in its expression. Having failed of reelection after serving during two sessions of Congress, he received the appointment of Attorney-General of his native State. During the administration of President Pierce, he was a minister to one of the South American states.

*Feb. 12.*—MURRAY, COL. JAMES B., an eminent New York merchant and politician, died in that city, aged 76 years. He was the last of those who welcomed Gen. Jackson in Tammany Hall after the battle of New Orleans; and he was not the least eloquent or enthusiastic of those who celebrated the semi-centennial of that event among the sachems of Tammany in January last. Col. Murray was one of the oldest members of the Chamber of Commerce, and held during his life many offices of trust and responsibility.

*Feb. 13.*—HATCH, GEORGE W., President of the American Bank Note Company, died at Dobb's Ferry, N. Y., aged 62 years. His talent as an artist, taste as a critic, and judgment in the business of which he was the head, rendered his services peculiarly valuable in the administration of its affairs, while his genial, cordial nature held the esteem of the community at large.

*Feb. 20.*—ADAMS, WILLIAM JOSEPH, an eminent teacher, died in Boston, aged 64 years. He was a native of Castine, Me., where he was fitted for college, and in 1822 graduated from Harvard. After leaving college, he taught a private school in New York for several years, and in 1829 was appointed principal of the Franklin School, where he remained two years. He was afterward principal of the Hancock School from 1843 to 1848. He then kept a private school in Boston until 1856. In October of that year he was appointed assistant librarian of the Boston Athenæum, which office he held until his death.

*Feb. 21.*—BUELL, REV. RUFUS F., missionary of the American Bap. Miss. Union in Greece, died in Washington, D. C., aged 53 years. He



was educated at the Hamilton Literary and Theological Seminary (as it was then called), and at the Andover Seminary. Being graduated from the latter in 1840, in the spring of the following year he set sail for Greece, where he and his accomplished wife labored diligently and patiently, amidst many discouragements, and sometimes in the face of violent opposition, until the Greek mission was abandoned in 1855. After their return, they engaged in teaching a young ladies' school in Providence, R. I., and established a reputation as able and successful instructors. Having subsequently removed to Washington, Mr. Buell accepted an appointment in the internal revenue office, which situation he held at the time of his death. Mr. Buell was a man of studious and critical habits, and especially a devoted student and able expounder of the Word of God. Almost his latest work was upon a new edition of the "Life of Washington," in Greek.

*Feb. 21.*—EDWARDS, OGDEN, civil engineer, died at Chenango Forks, N. Y., aged 41 years. He graduated from Union College in the class of 1848.

*Feb. 22.*—STINSON, Brev. Col. HENRY M., agent of the Freedmen's Bureau in Florida, died at Tallahassee, aged 22 years. He was a native of Hallowell, Me., and entered the service of his country at the age of seventeen; was wounded in the first battle at Bull Run, and incarcerated at Libby and Andersonville prisons, and subsequently was shot through the lungs in front of Atlanta, Ga. At the time of his death he was on a general inspecting tour from the Freedmen's Bureau for the State of Florida.

*Feb. 23.*—HAIGHT, FLETCHER MATTHEWS, an American jurist, died in San Francisco, Cal., aged 67 years. He was a native of Elmira, N. Y., admitted to the bar of Steuben County in 1821; elected president of the Rochester City Bank in July, 1836; and appointed United States District Judge of Southern California in 1861.

*Feb. 25.*—PARMENTER, Hon. WILLIAM, a Massachusetts politician, died in Cambridge, Mass., aged 86 years. He was educated in the Boston public schools. In his early manhood he was active in public affairs, and before reaching middle life had served in both branches of the Legislature. He was a member of Congress during four terms, and filled the post of Navy Agent for Boston from 1845 to 1849.

*Feb. 28.*—BROWNING, Col. WM. A., former private secretary to the President, and Secretary of Legation to Mexico, died in Washington, D. C.

*Feb.* —ORD, GEORGE, an eminent philologist, naturalist, and author, died in Philadelphia, aged 84 years. His retiring disposition withdrew him from the public gaze, but for more than half a century his name has been known and esteemed in his own country and in Europe by all who, through a similarity of tastes and studies, were brought in contact with him. His chief published work was the memoir of his friend, Alexander Wilson, the naturalist, whose

great work on the birds of America he edited and brought into its present shape, and to whose memory one of the most interesting pieces of biography in our language was consecrated. Mr. Ord's favorite pursuit was ornithology; his acquirements in that science well fitted him for the post of president of the Academy of Natural Sciences, Philadelphia, which he filled for many years, being, at the same time, a prominent member of the American Philosophical Society, a fellow of the Linnæan Society of London, etc. Of English ornithology Mr. Ord was also a devoted student. Though he never published any separate work on the subject, his coöperation was largely given to the Rev. H. J. Todd's enlargement of Dr. Johnson's Dictionary and to the lexicographical labors of Dr. Webster and of Dr. Latham.

*Feb.* —BEAN, Hon. BENNING MOULTON, a New Hampshire statesman, died at Moultonborough, in that State, aged 84 years. He was native of Moultonborough, and was educated a farmer. In 1811 he was elected one of the board of selectmen, and, with the exception of one year, held the office until 1833. His first appearance in public life was as a Democratic representative in the State Legislature in 1815, where he served eight terms. In June, 1824, he was chosen senator by the Legislature in convention, and was reelected to the upper branch five times. In 1829 Mr. Bean was chosen a member of the Executive Council of Governor Pierce. For faithful labors in the positions above mentioned, he was rewarded in 1833 with an election as a Representative to Congress, and was again chosen to that office in 1835. His success in public life was attributed to fine native abilities, sound discretion, remarkable firmness of character, and sterling integrity.

*March 4.*—LYNN, ROBERT, senior, an eminent shipbuilder of Philadelphia, died in that city. He was the architect of the steamships Tuscarora, Tonawanda, Wyoming, and Saranac.

*March 5.*—JAYNE, Dr. DAVID, a manufacturing druggist of much note, died in Philadelphia, aged 67 years. He was a native of New Jersey, but had resided in Philadelphia since 1836. By publishing the virtues of his patent medicines first throughout the United States, and finally all over the world, he built up such a colossal business, that for the last sixteen years of his life his chief study has been how to employ his money, and the care of making and selling his specific remedies has devolved upon his son and his nephew, who were his partners. He was a man of large liberality, and devoted immense sums for the improvement of the city, of which he was a respected and influential citizen, building several edifices of solid granite, with others of marble, and at the time of his death was rearing a grand palatial residence of fine white Westchester marble, which may be considered one of the wonders of the town. His interest in the public enterprises of the day was constant and unwearied.

*March 6.*—BOWERS, Brevet Col. THEODORE



S., major U. S. A., and adjutant-general on Gen. Grant's staff, was killed instantly by falling between the cars while attempting to get on the train as it was starting from Garrison's Station on the Hudson River Railroad, aged 30 years. Col. Bowers was a native of Illinois, a printer by trade, and formerly edited a Democratic newspaper in that State. He entered the army at the outbreak of the war, joining Gen. Grant during the operations against Forts Henry and Donelson. At the battle of Shiloh he was ordered on duty at Grant's headquarters, and was appointed aide-de-camp. In November, 1862, he was appointed major and judge-advocate of the Army of the Tennessee, and in September, 1863, was promoted to the rank of lieutenant-colonel and assistant adjutant-general. From that time until the surrender of Lee he was Gen. Grant's chief assistant adjutant-general in the field, and was retained in the same position at Washington when Gen. Grant established his headquarters there.

*March 6.*—GORDON, HON. JAMES, an eminent lawyer and assistant judge of Washington County, Pa., died at Cookstown, Pa., aged 84 years. He took up his residence in Monongahela City as early as 1810, and at once identified himself with the welfare of the community. He filled various public offices with credit to himself and great acceptance to his constituency; held the office of justice of the peace for thirty-five years, and also that of notary public for many years; was associate judge of the county for five years, county commissioner, county auditor, and a member of the board of revenue commissioners, representing the district at Harrisburg in its sessions for 1857.

*March 8.*—DALLAS, PHILIP MIFFLIN, a lawyer of Philadelphia, and former Secretary of the Legation to the American embassy of Great Britain, died in Philadelphia, aged 41 years. He was a son of George M. Dallas.

*March 9.*—FROST, DR. HENRY R., an eminent physician and medical professor of the South Carolina Medical College, died in Charleston, S. C., aged 71 years. On his mother's side he was of Huguenot descent, his ancestors in this country being of the family of the Rev. Francis Le Jan, who fled from France after the revocation of the Edict of Nantes. He was educated at the academy of Dr. Moses Waddell, and soon after graduating entered upon the study of medicine in Charleston, completing his course in Philadelphia, where he graduated in 1816. He was then chosen resident physician of the Philadelphia Almshouse. On his return to Charleston he was elected regular physician to Shirra's Dispensary. In 1852 and 1853 he commenced a course of lectures, and in 1854, in connection with other eminent medical gentlemen, established the Medical College of South Carolina.

*March 9.*—HAVEN, LUTHER, collector of the port of Chicago, died in that city, aged 59 years. He was a native of Framingham, Mass.,

educated in the district school, and in 1831 entered a private academy at Ellington, Conn., as teacher till 1834, when he accepted the appointment of teacher in the English and mathematical department of Leicester Academy, an institution then ranking as one of the first of its class in the United States. He filled this position first as teacher, then as principal of this department, till 1845. He then engaged in mercantile pursuits in his native State. Regarding the West as furnishing a broader and better field for a man of his calling, he removed to Chicago in 1849, where he resided until his death. Mr. Haven soon became actively interested in the management of the schools of the city, and to his intelligent counsel and long-continued labors they are largely indebted for their efficiency and excellent character. He was for several years president of the board of education; and as a fitting reward for his long service in that capacity, one of the largest schools of the city received his name.

*March 9.*—TROTTER, HON. JAMES F., one of the leading judges of Mississippi, died at Holly Springs. He was a Senator in Congress in 1818.

*March 11.*—DOUBLEDAY, HON. ULYSSES F., an eminent bookseller and member of Congress from Auburn, N. Y., died at Belvidere, Ill., aged 72 years. He was a native of the county of Otsego, where, in 1809, he was apprenticed to H. & E. Phinney, of whom he learned his trade. In 1813 he was journeyman printer at Utica, in the office of Messrs. Seward & Williams. In 1814 he removed to Albany, where he worked for Messrs. Webster & Skinner, and where he married the daughter of Capt. Thomas Donnelly, for many years Sergeant-at-Arms of the House of Assembly. In 1816 he established a paper at Ballston, Saratoga County, from which place he removed to Auburn, editing in that village for twenty years an able journal. In 1831 Mr. Doubleday was elected to Congress, and in 1833 he was reelected. Subsequently he removed to New York City, where he resided until within a few years.

*March 11.*—OHLE, WILLIAM, a gunsmith, died in Syracuse, N. Y., aged 106 years. He was born in Montreal, March 3, 1760, learned the trade of a gunsmith, subsequently went to what is now the State of Mississippi, as an Indian trader, and again returned to Montreal, where he married. Business misfortunes overtook him, and he emigrated to the United States. During the war of 1812 he was a soldier in our army. After his discharge he went to Utica, and worked at the gunmaking business for over thirty years. He was still a workman at the age of ninety-eight years. At the age of one hundred years his hair was white, but it subsequently assumed a dark-brown color.

*March 12.*—MOORE, REV. MARTIN, editor of the "Boston Recorder," died at Cambridge, Mass., aged 76 years. He had exercised the pastoral office for nearly thirty years at Natick, and then at Cohasset, and was for twenty years editor of the "Recorder." For the last



few years he was a vice-president of the New England Historical and Genealogical Society.

*March 12.*—SCHMIDT, FREDERICK, a sculptor, died suddenly at Washington, D. C. He was a native of Germany, but an old resident of Washington. He had made busts for several of the Presidents.

*March 13.*—CURRIE, REV. R. ORMISTON, D. D., a clergyman of the Protestant Reformed Dutch Church, died at New Utrecht, L. I., aged 61 years. He was a native of Claverack, Columbia County, N. Y., graduated at Rutgers' College, N. J., and completed his studies at the Dutch Reformed Theological College. After a short time he was called to the church in New Utrecht, which was the only pastorate he filled during the space of his valuable life.

*March 13.*—WRIGHT, WILLIAM, an American editor and author, died in Paterson, N. J., aged 42 years. He was a native of Ireland, and came to this country about seventeen years ago, and settling near Paterson, engaged in teaching school. About ten years ago he moved into Paterson, and started a Republican journal—at that time the only organ of the party, with a single exception, in the State of New Jersey. He took an active part in the campaign for the Presidency in 1856, advocating the election of Gen. Fremont; and, chiefly through his exertions, Paterson, for the first time in its history, gave a majority against the Democratic party. After conducting his paper with marked success for several years in Paterson, Mr. Wright sold out and removed to New York. He was connected for a short time with the "Evening Post," and afterward for several years with the "Commercial Advertiser." He contributed also largely to other daily and weekly papers in New York. About two years ago he returned to Paterson, and started the "Paterson Press." A few months ago he started the "Monthly Review," and was succeeding beyond his expectations, when an attack of dropsy terminated his career. Among his published works may be mentioned "The Oil Regions of Pennsylvania."

*March 17.*—WILLARD, REV. FREDERICK AUGUSTUS, a Baptist clergyman, died in Philadelphia, aged 58 years. He was a native of Massachusetts, graduated at Amherst College in 1826, and studied theology at Newton. He was at one time lecturer in Waterville College, and subsequently was a pastor in Massachusetts and Kentucky. A few years since he removed to Philadelphia.

*March 18.*—PETRIKEN, B. RUSH, a leading politician of Pennsylvania, died at Lock Haven, Pa., aged 51 years. He was born in Danville, Columbia County, educated at Milton, studied law, and was admitted to the bar at the age of 21. He then emigrated to Burlington, Iowa, and had but just commenced the practice when he was appointed by President Van Buren, register of the land office at Dubuque. In 1841 he was removed by Gen. Harrison, and

returned to Pennsylvania, resuming the practice of his profession at Bellefonte. In 1854, having purchased an interest in some coal lands near Farrandsville, he organized a company for the purpose of mining. In his coal operations, however, he was not successful, and in 1859 he removed to Lock Haven, where he has ever since resided. He was a man of radical views in politics, and after the formation of the Republican party he became a leading man in its ranks. In 1859 he was a candidate for the lower House of the Legislature, but was unsuccessful. In 1862 he was presented by Clinton County in the district conference for the nomination for Congress, and in this also he was unsuccessful. In 1864 he was chosen a member of the Union State central committee, and as a member of the executive committee, performed most of the labor of that campaign.

*March 19.*—ROBINSON, CAPT. HENRY, a well-known sea-captain, died at Newburg, N. Y., aged 84 years. He commanded a ship many years before the first steamer crossed the ocean, and was from time to time in charge of various vessels. On his retirement he took great interest in yacht-building, and built the Victoria, which he used as a pleasure-boat. When Mr. Hall was about leaving for the Arctic regions in search of the lost explorers, Capt. Robinson took a deep interest in the project, and presented him with his yacht, the Victoria, to be used in the service, or, if unfitted for the voyage, to be sold, and the proceeds appropriated in the manner most available.

*March 19.*—RUSSEL, ISRAEL, a philanthropic merchant of New York City, died of paralysis, aged 76 years. He was a native of Morristown, N. J., and removed to New York at the age of seventeen, where, for many years, he was engaged in the seed business. Retiring from business some twelve years since, he devoted his time and attention to the public benevolent institutions of the city, and was an active member of the Deaf and Dumb Institute, House of Refuge, Prison Association, Historical Society, and others.

*March 20.*—VREELAND, BENJAMIN, surgeon U. S. N., died at Lisbon, Portugal, of yellow fever, contracted in attending the crew of the Kearsarge, on board which the disease was raging. He was a native of the State of New York, and received his appointment from it. He entered the service on the 9th of May, 1850, and since that time has served on board the United States ships Vandalia and North Carolina, remaining on each for a number of years. In 1860 he was ordered to the sloop-of-war Iroquois, and remained attached to that vessel during her cruise of three years, participating in all the engagements through which the Iroquois passed. On the return to New York of the Iroquois in 1863, Surgeon Vreeland was ordered to the Brooklyn Navy Hospital, and remained there until ordered to the Kearsarge in the early part of August, 1865. Surgeon Vreeland was ever remarkable for his thorough con-



tempt of danger while in the performance of his duty, and he at last met his fate, while endeavoring to save from a fearful death his suffering shipmates.

*March 21.*—ELLIOTT, STEPHEN, Jr., a brigadier-general of the Confederate army, died at Aiken, S. C., aged 34 years. He was a native of Beaufort, S. C. At the commencement of the war he raised and equipped a battery of light infantry, known as the Beaufort Artillery. At Pinckney Island, August, 1862, he commanded three batteries, and was promoted for his gallantry. Shortly after he was placed in command of Fort Sumter, where he continued during the long bombardment to which it was subjected by Gen. Gillmore. In July, 1864, he was wounded by the explosion of a mine under his quarters, by order of Gen. Burnside, and was laid up until the end of the war. In 1865 he took the oath to support the constitution of the State and of the United States, and later was a candidate for congressional honors, being opposed by ex-Governor Aiken.

*March 21.*—PARKER, REV. SAMUEL, a Presbyterian clergyman and author, died in Ithaca, N. Y., aged 87 years. He was an eminent Christian, and an able exponent of the doctrines of Christianity, and was well known to the public as the author of "An Exploring Tour beyond the Rocky Mountains."

*March 22.*—BRICK, EDMUND, a lawyer and officer in the civil service of the United States, died in St. Augustine, Fla., aged 36 years. He was born and educated in Philadelphia, and was admitted to the bar of that city in 1860. Possessing fine literary taste and decided poetic talent he was a frequent and welcome contributor to the ablest literary journals. His health failed in 1862, and he removed to Washington, D. C., and became secretary of Maj.-Gen. Hitchcock in the bureau of exchange of prisoners. He was evidently suffering from pulmonary disease; but his friends, hoping so much from the climate of the south of Europe, procured his appointment as consul at Valencia, Spain; but he was unable to enter upon his duties. A trip to Florida, undertaken in the vain hope of arresting his disease, was soon followed by the relief of death.

*March 22.*—JACKSON, JOHN J., a brigadier-general of the Confederate army, died in Milledgeville, Ga., aged 37 years. He was a native of Augusta, Ga., and a lawyer by profession. At the opening of the war he raised a force known as the First Georgia Infantry. Being promoted to a brigadier-generalship, he commanded a brigade in Bragg's corps, which fought Grant at Shiloh. In August, 1864, he was placed in command of the Confederate Department of Florida. At the close of the war he resumed the practice of law at Augusta.

*March 25.*—CHAMBERS, HON. GEORGE, a distinguished jurist and author, died at Chambersburg, Pa., aged 80 years. He was a native of that town, his ancestors having been its found-

ers; graduated at Princeton in 1804, studied law under Judge Duncan, of Carlisle, and was admitted to the bar in 1807. At Chambersburg his talents, energy, and integrity soon placed him in the front rank of his profession. He was elected a member of the United States Congress in 1833, and reelected in 1835. He was also a member of the convention which formed the present constitution of the State of Pennsylvania. In 1851 Gov. Johnston appointed him one of the judges of the Supreme Court of Pennsylvania. He was much interested in the early history of his State and county, and besides furnishing valuable materials to others, he published some of his researches in his "Tribute to the Scotch-Irish," and had embodied others in a MS. history prepared for the Pennsylvania Historical Society, but which was unfortunately destroyed when the rebels burned Chambersburg. He was a diligent student, not merely of the law, but of other branches of knowledge. In 1861 he received the degree of LL. D. from Washington College, Pa.

*March 31.*—LOOMIS, HON. LUTHER, formerly a prominent politician of Connecticut, died in Suffield, Conn., aged 85 years. In 1836 he was a candidate of the Conservative party for Governor.

*March 31.*—SWAN, BENJAMIN L., an eminent merchant and philanthropist, died in New York, aged 79 years. He was vice-president of the American Bible Society, and identified with many of the religious and benevolent institutions of the city.

*March* —.—THIBODEAUX, HON. BANNON G., died in Terrebone, La. He was a graduate of Hagerstown College, Md., studied law, and became a distinguished member of the Louisiana bar. He served several sessions in the Legislature, until in 1846 he was elected to Congress as a member of the fifth Representative district of that State.

*March* —.—GALTIER, Father, a priest of the Roman Catholic Church, died at Prairie du Chien, Minnesota. He was the first Catholic missionary in that State, and landed at Fort Snelling in 1840. He gave St. Paul its name.

*March* —.—TAYLOR, REV. JACOB, a distinguished Methodist clergyman, died at Piketon, Ohio, aged 69 years. He served in the war of 1812, and was with Col. Croghan when he was besieged by the Indians at Fort Sanders, Ky.

*April 1.*—HARDING, CHESTER, an American portrait-painter of much celebrity, died in Boston. He painted the portraits of Webster, Clay, Madison, Monroe, J. Q. Adams, and Allston. Also, in England, the Dukes of Norfolk, Hamilton, and Sussex, and of Lord Aberdeen. At the time of his death he was engaged on a likeness of Gen. Sherman, which he left unfinished.

*April 1.*—WATSON, GEN. H. P., Adjutant and Inspector-General of Alabama, died at Montgomery, Ala., aged about 60 years. He was a native of South Carolina, but had resided



at Montgomery for many years. He was a graduate of West Point.

*April 2.*—HARRIS, Maj. ARNOLD, late of the seventh infantry, U. S. Army, died at Midway, Ky. He was appointed to West Point from Montgomery County, N. Y., graduated in 1834, and was assigned to the seventh infantry, stationed at Fort Gibson, Cherokee Nation. He resigned in 1837, and was appointed post sutler; in 1847 he contracted to carry the United States mail from Panama to San Francisco for ten years, at one hundred and ninety-nine thousand dollars per annum. This contract he assigned to Mr. William H. Aspinwall, taking stock therefor in the Pacific Mail Steamship Company, and the New Orleans agency. He removed to Washington with his father-in-law, the late Gen. Robert Armstrong, when the latter was elected Government printer. Maj. Harris was a warm supporter of Douglas, and spent thousands on the Washington papers, advocating his election. When Col. Cameron was killed during the first battle of Bull Run, Major Harris went out to aid in recovering his body, was taken a prisoner to Richmond, and confined six months in the Libby prison.

*April 3.*—FORD, Rev. J. EDWARDS, missionary of the American Board in Syria, died at Geneseo, Ill., aged 41 years. He was a native of Ogdensburg, N. Y., graduated at Williams College in 1844, and at the Union Theological Seminary in 1847, and in the spring of 1848 reached his chosen field of labor in Syria. For different periods he was engaged in the missionary work at Aleppo, Mosul, Beirut, and Sidon, as directed by the mission, and everywhere he gave himself with untiring diligence and eminent ability to the work.

*April 5.*—DELANEY, MICHAEL G., a surgeon in the United States Navy, died at Geneva, N. Y. He was a native of Ireland, but came to this country at a very early age. After a good preparatory education, he applied himself to the study of medicine, and received the usual degree at Bowdoin College. Subsequently he obtained a commission as assistant surgeon, and in due course, as surgeon in the United States Navy. He made several cruises to different parts of the world, and in the year 1852 was appointed fleet surgeon of the African squadron, in the frigate Constitution, the flag-ship of Commodore Mayo. Returning from the coast of Africa in 1855, he was ordered to the navy-yard at Portsmouth, N. H., where he remained three years. In 1861 he received orders for duty on board the frigate Sabine, of the home squadron, in the Gulf of Mexico. During this cruise in the early part of the war, his health, already impaired by the climate of Africa, suffered so much from the diseases of the Gulf station, that he never recovered from their attacks. On his return to the North, he was again ordered to the Portsmouth yard, where he continued for a long time, well nigh prostrated in health and strength, but zealously devoting himself to the discharge of his la-

borious duties, with the most unwearied assiduity.

*April 6.*—THORNTON, Brevet Brig.-Gen. WILLIAM A., United States Army, died at Governor's Island, aged 68 years. He was a native of New York, graduated at West Point in 1825, and the same year was appointed brevet second lieutenant First artillery. In July, 1838, he was transferred to the Ordnance Department, holding the rank of captain, gradually winning his way up to a full lieutenant-colonelcy, and a brevet brigadier-generalship.

*April 10.*—DOWNING, THOMAS, a well-known and philanthropic colored citizen of New York, died there, aged 75 years. He was a native of Accomac County, Va. During the war of 1812 he came North and joined the army. In 1819 he removed to New York and established an eating-house in Broad Street, manifesting so much energy in his business that he accumulated a large fortune, gave a liberal education to his numerous children, some of whom he sent to Europe for that purpose, and devoted freely of his means for the elevation of his own people, as well as to benevolent objects in general.

*April 11.*—JONES, Lieutenant-commander M. PATTERSON, United States Navy, died at Fairfax, Va. He was the son of Commodore Thomas Ap Catesby Jones; entered the naval service in September, 1841, and after several years of active service at sea, passed with high honors, in 1847, the examination at the academy at Annapolis, then recently established. When the civil war broke out he held the commission of a lieutenant. Being a native of the State of Virginia, with near relatives and friends arrayed on the side of the Confederacy, he found himself, as it were, alone; but he did not hesitate a moment as to where his allegiance belonged. He remained true to the flag, and tendered his services for the maintenance of its integrity. He served with honor during the whole war; his last duty at sea being in command of the United States steamer Pocahontas, attached to the West Gulf blockading squadron, and when he died he was connected with the navy-yard at the city of Washington. During his naval career he had performed nearly nineteen years of actual service afloat, besides several years in which he was engaged in important duties appertaining to his profession on shore.

*April 13.*—VAN BUREN, Brevet Brig.-Gen. JAMES LYMAN, United States volunteers, died in New York City, aged 29 years. He was a native of the State of New York, graduated at the New York Free Academy in 1856, studied law, and in June, 1860, visited Europe, traveling extensively, and returned in January, 1861. At the outbreak of the war he entered the army as second lieutenant in the Fifty-third New York Volunteers; and subsequently was transferred to the United States signal corps. At Roanoke Island and at the battle of Newbern he acted as aide on Gen. Foster's staff. After the victory



at Newbern, headquarters were established in that city, and Lieutenant Van Buren was transferred (date March 23, 1862) to Gen. Burnside's staff, and acted as judge-advocate of the department. On June 4th he was ordered to report to the Military Governor of North Carolina (Stanley), who had just arrived, and who had applied for his services. He acted as military secretary to Gov. Stanley until Gen. Burnside left North Carolina. While in this position he received his commission of aide-de-camp, with the rank of major. He was on active and constant duty during the East Tennessee campaign, and in the spring of 1864 his corps was ordered to New York to recruit, and afterward was transferred to Virginia, joining the armies operating against Richmond. Here he won himself much honor, and passing through the usual promotions was made brevet brig.-general, and ordered to duty on the staff of Gen. Parke, commanding the district of New York, and while in the discharge of his duties was laid aside by the sickness which eventually terminated his life.

*April 14.*—STONE, REV. CORNELIUS, a clergyman of the Methodist Episcopal Church, died at Jay, Maine, aged 49 years. He left the ministry on account of failing health, and was subsequently a member of the State Senate.

*April 15.*—TUTTLE, REV. SAMUEL L., a Presbyterian clergyman, and assistant secretary of the American Bible Society, died at Madison, N. J. He was a graduate of Princeton College in 1836, of the Theological Seminary in 1840, was licensed and settled in Caldwell the same year; in 1848 was chosen agent of the American Bible Society for Connecticut; in 1851 was settled in Madison as pastor of the Presbyterian church, and in 1863 was chosen assistant secretary of the American Bible Society.

*April 17.*—NYE, CAPT. EZRA, formerly commander of the "Pacific," and other steamers of the Collins line, died in Newark, N. J., aged 68 years. He was a native of Massachusetts, and for a long time captain of the packet-ship "Independence," celebrated for her short passages between Liverpool and New York.

*April 21.*—THOMPSON, HON. LUCAS P., judge of Supreme Court of Appeals of Virginia, died at Staunton, Va. He was a jurist of considerable ability, and had been judge of the eleventh Circuit Court from 1856 to 1864, when he was elected to the judgeship of the third section of the Court of Appeals.

*April 22.*—WARRINER, REV. FRANCIS, a Congregational clergyman and author, died at Chester, Mass., aged 61 years. He was a native of Springfield, graduated at Amherst College in 1830, and the following year became teacher of midshipmen in mathematics and navigation on the frigate Potomac, which, in 1831-'34, was one of a squadron sent to the islands of the Indian Archipelago to protect American commerce. An account of this expedition, Mr. W. published on his return, in a volume entitled "The Cruise of the Potomac," a very interest-

ing book. Having studied theology at New Haven and New York, he was ordained over the Congregational Church in Chester in October, 1841. Dismissed after a pastorate of ten years, he preached as stated supply, and subsequently as settled pastor, in Waterford, Vt., from 1848 to 1859. Then leaving that place on account of the severity of the climate, he returned to Chester, and became the pastor of the church of his first charge, until compelled by feeble health to resign in August, 1865. As a writer he was clear, vigorous, and often eloquent, and as a pastor successful.

*April 23.*—EWING, WILLIAM BELFORD, M. D., an eminent physician of New Jersey, died at Greenwich, N. J., aged 90 years. He graduated at Princeton in 1794, studied medicine at Trenton, under the direction of Dr. Nicholas Bellville, one of the most distinguished physicians of the State, and commenced the practice of his profession in the Island of St. Croix, in which place he continued two years. He then settled in Greenwich, N. J., the place of his nativity, where he continued actively engaged as a physician for twenty-eight years, when he retired from its duties. He was president of the Medical Society of New Jersey in 1823, and, at the time of his death, probably the oldest of the Fellows of that venerable society. He was for many years presiding judge of the county courts, ten years a member of the State Legislature, and a member of the convention which framed the constitution of New Jersey in 1841.

*April 26.*—ADAMS, REV. JOHN R., D. D., a Presbyterian clergyman, died at Northampton, Mass., aged 64 years. He was a native of Plainfield, Conn., graduated at Yale College in the class of 1821, taught three years in Phillips's Academy, Andover, and graduated at the Theological Seminary there in 1826. The interval between 1826 and 1831, when he was settled as pastor over the Congregational Church, in Londonderry, N. H., was occupied in teaching and in missionary labor in Western New York. He remained in Londonderry five years, and afterward preached for two years in Great Falls, N. H. His second settlement, in 1847, was in Brighton, Mass., where he also remained five years. He was subsequently for fourteen years, from 1847 to 1861, pastor of the Congregational Church in Gorham, Me. In June, 1861, he was appointed chaplain of the 5th Maine Regiment, and was present at most of the battles of the Potomac Army, from the first Bull Run battle on. When the term of service of his own regiment expired, he became chaplain of the 121st New York, another regiment in the same brigade, and remained in service until its discharge, July, 1865. The value of his army services was such as to receive a public acknowledgment from the Governor of Maine and from general officers. On his return home, he was employed in the work of the Maine Missionary Society, in the western part of that State. The disease which occasioned his death was acute inflammation of the brain, and was attributed by his phy-



sicians to reaction from the over-excitement of his army life.

*April 27.*—GILBERT, Mrs. JOHN, a distinguished actress, wife of the comedian so prominent in Mr. Wallack's company, died in New York, aged 65 years. She made her first appearance upon the stage in Boston, and acquired her professional reputation in the strong characters of old English comedy. Some years since she withdrew from the stage. Personally much esteemed, she received the fullest social recognition of her genuine worth of character and of culture.

*April 28.*—AUSTIN, CHARLES L., late Recorder of Albany, died in the city of Mexico, aged 50 years. He was a native of Orwell, Vt., studied at Chambly, graduated at Burlington College, and then went to Europe, where he pursued a course of studies at one of the German universities. While there he was an intimate associate and friend of Schelling, the philosopher. On his return to this country he gave his attention to law. Though a great student, he was sedulous in the discharge of his duties as recorder, never swerving from the right. Taking a sea voyage in one of the Panama steamers, he landed at Vera Cruz, and was making a brief visit in the capital, while awaiting the return trip of the vessel, when he died.

*April 28.*—KELLY, Rev. JOHN, a Roman Catholic priest, and formerly a missionary in Africa, died at Jersey City, aged 65 years. He was born in County Tyrone, Ireland, and was educated in that country. For three years he was a missionary of the R. C. Church in Africa. After coming to the United States, he was stationed successively at Albany, St. Louis, and Jersey City, remaining twenty-three years at the latter place. He was a man of large liberality toward the poor and helpless.

*April 30.*—CLAPP, WILLIAM W., a prominent editor and printer of Boston, died in that city, aged 83 years.

*April —.*—FENNER, E. D., M. D., an eminent physician and author, died at New Orleans. He was a native of Tennessee, and early in life had practised his profession in that State and in Mississippi with great distinction and success. In 1841 he removed to New Orleans, where he became professor of the School of Medicine. He was editor of the "Southern Journal of Medical Science," and wrote on medical and other questions with great ability.

*May 2.*—HUTCHINGS, WILLIAM, a Revolutionary pensioner, died at Penobscot, Me., in the 102d year of his age.

*May 2.*—KIRKPATRICK, Rev. JACOB, D. D., a Presbyterian clergyman, died at Ringoes, N. J., aged 81 years. He was a native of Long Hill, N. J., graduated at Princeton in 1804, and taught for a time in the classical academy at Somerville, while pursuing the study of law. In 1807 he was converted, and, relinquishing his legal studies, devoted his attention to theology for the two following years, when he was licensed to preach. In 1810 he was ordained, and accepted the charge of the territory now embraced

in the townships of Amwell, West Amwell, Raritan, and Delaware. His labors here extended over a period of 56 years.

*May 4.*—DAILY, WILLIAM, an Irish emigrant, died in New York city, aged 106 years. He came to this country at the age of 88 years. His father and a sister attained to the age of 103 years.

*May 4.*—BROWN, THURLOW WEED, an American editor and author, died at Fort Atkinson, Wis. He was for some years editor of the "Cayuga Chief," and since 1860, when he removed to Atkinson, has edited the "Wisconsin Chief." He also published a volume of Miscellanies, mostly on the subject of temperance, of which he was an eloquent advocate.

*May 5.*—BARDWELL, Rev. HORATIO, D. D., a Congregational clergyman, and formerly missionary to Bombay, died at Oxford, Mass., from injuries received at the burning of his house, aged 77 years. He was for six years a missionary of the American Board at Bombay, resigning on account of his health, and was pastor of the Congregational Church at Oxford for many years. He was widely known and beloved.

*May 11.*—KENNEDY, SAMUEL, the last survivor of the Wyoming massacre, died near York Springs, Penn., aged 93 years. He was a native of Northumberland County, and was a boy of five years at the time of his escape from the massacre.

*May 11.*—MOREY, Hon. GEORGE, a prominent lawyer and politician in Boston, died there in the 77th year of his age. He was a native of Walpole, Mass., graduated at Harvard College in 1811, and the two following years was preceptor of the academy at Framingham, where he studied law, and after his admission to the bar, removed to Roxbury, and entered upon the practice of his profession. Subsequently he settled in Boston, where he remained through life. In politics he was an ardent member of the Whig party during its existence; for thirty years was one of its most efficient members, and was for many years chairman of the Whig State Central Committee. He was representative in the State Legislature in the years 1830 and 1831; was a senator in 1839 and 1840, and was a member of the Executive Council in 1842 and 1844. He was also a member of the State convention for revising the constitution in 1853. He was a strong advocate of the railway system, and was for many years clerk of the Boston and Worcester Railroad Corporation, and for a portion of a year, in consequence of the death of its president, Hon. Thomas Hopkinson, acted as president of the corporation. He was placed on the electoral ticket in 1860 as an elector at large for Massachusetts, as a recognition of his long-continued services and sincere devotion to the liberal school of politics, to which he had given his strength for upward of a generation.

*May 14.*—WASSON, JAMES DUANE, a distinguished citizen of Albany, died there, aged 73 years. He was a native of Duaneburg, and having lost his parents at an early age, was



bound out to learn the trade of tanner and currier, his education being but little beyond the mere knowledge of reading. His master proving a severe one, he left him at the age of sixteen, and with scarcely a change of clothing, arrived in Albany, with the determination of making his fortune. After spending three years in a grocery store, he entered into business for himself upon his small savings of two hundred dollars, and was successful, until the sudden termination of the war of 1812 found him overstocked with teas and sugars bought at high prices, and compelled him to stop payment. He compromised, however, with his creditors, and devoted the next fifteen years to the full discharge of his compromise debts. Subsequently he went into the livery business, and was greatly prospered. In 1823 he was elected sergeant-at-arms of the Assembly, and the next year to the same office in the Senate, and subsequently door-keeper to the same body, which duty he discharged until the memorable political campaign of 1840, when he was displaced. In 1842 he was appointed by President Tyler postmaster at Albany, and served in that office through the administration of Mr. Polk, and until removed by Gen. Taylor. During the most of that period this position was one of peculiar importance and responsibility, Albany being a large distributing and collecting office, and his judgment, discretion, and fidelity were implicitly relied on, not only in the ordinary management of the office, but in the performance of instructions not strictly official requirements, involving the collection and custody of considerable sums of money, but for which he neither sought nor received commission or emolument. In 1850 he associated himself with Mr. John Butterfield, in the express organizations which have since grown into colossal proportions, and was prominent in the recent consolidation of the great companies, to which his forecast and judgment gave an impetus. He was one of the founders of the Albany Orphan Asylum, and for several years, and at his death, its president.

*May 15.*—**BASTINE, MARY ANN**, the oldest inhabitant of New York, died there, aged 118 years.

*May 17.*—**CLAPP, REV. THEODORE**, a Unitarian clergyman, died in Louisville, Ky., aged 74 years. He was a native of Easthampton, Mass., graduated at Yale College in 1814, studied theology at Andover, and in 1822 became pastor of the First Presbyterian Church in New Orleans. In 1834, having adopted Unitarian views, his connection with the Presbyterian Church was dissolved. In 1858 he published a volume, "Autobiographical Sketches and Recollections of a Thirty-five Years' Residence in New Orleans."

*May 18.*—**BACON, HON. DANIEL S.**, judge of probate for Monroe County, Mich., died in Monroe, aged 68 years. He was a native of Onondaga County, N. Y. At the age of twenty-four he became a resident of Michigan, then a

Territory, and was among its earliest settlers. At the time of his death he had been a resident of Monroe forty-four years. During this extended period he had been intrusted with important and responsible offices, both in Church and State. He was an influential member of the Legislative Council of the Territory of Michigan, afterward a member of the State Legislature, one of the judges of the county court, and for some years judge of probate for Monroe County, and for the last ten years a ruling elder in the Presbyterian Church. All these offices he filled with faithfulness and integrity, and to the satisfaction of the entire community.

*May 19.*—**PIGGOT, JOSEPH**, an old and eminent citizen of New York, died there, aged 87 years. He was a native of New York, and in 1825 was a member of the Legislature, being prominently identified with the old Democratic party. In later years he was an ardent Whig of the school of Henry Clay. For many years he was actively engaged in the old Public School Society. He was the father of nineteen children, but three of whom survive him.

*May 20.*—**COOK, LEMUEL**, a Revolutionary soldier, died at Clarendon, Orleans County, N. Y., aged 102 years. He was a native of Plymouth, Vt., entered the army at the age of seventeen, was present at the surrender of Cornwallis at Yorktown, and took an honorable discharge at the close of the war, signed by Gen. Washington. He removed to Western New York about thirty years ago, and led an active life until past his hundredth year.

*May 22.*—**GRIFFIN, JOHN QUINCY ADAMS**, a prominent Republican politician of Massachusetts, died near Boston, aged 40 years. He was a native of Londonderry, N. H., studied law, and in the practice of his profession was eminently successful. He exercised a great influence over the Legislature of Massachusetts. Spurning expediency in politics, he advocated the right at whatever cost, whether its adherents were in the minority or majority.

*May 29.*—**COX, DR. HENRY G.**, an eminent New York physician, died in that city, of paralysis, aged 47. He was a native of Bermuda, received a thorough English and classical education, and was elected to the Legislature of the islands. At the age of twenty-six he came to New York to pursue the study of medicine. Placing himself under the guidance of Dr. Cheeseman, he graduated in 1849 at the College of Physicians and Surgeons, and was immediately appointed house physician at Bellevue Hospital, and subsequently to a position on the medical staff at the Quarantine Hospital, Staten Island. About 1860 he settled in private practice in the city, and was physician to the State Hospital at Ward's Island. This office he held for many years, with great credit to himself and with equal efficiency and benefit to the institution, and only left it to attend more closely to the private practice that had been growing up for him. He was never forgotten by the commissioners in charge of the hospitals; and lately, when a



principal consulting physician was appointed by them, Dr. Cox, without any request or solicitation on his part, received the appointment. At the period of the organization of the New York Medical College, he was appointed censor, and afterward to its professorship of Theory and Practice, retaining the office with great acceptance for a number of years. Dr. Cox took an active and enthusiastic interest in the organization of the Nursery and Child's Hospital, and to his affectionate care and close watchfulness, in its earlier years, is due much of the usefulness of this excellent institution.

*May 29.*—SLACK, ELIJAH, LL.D., an eminent Presbyterian clergyman, died in Cincinnati, aged 82 years. He was a native of Bucks County, Pa., and graduated at the College of New Jersey in the class of 1808. After his graduation he became principal of the Trenton Academy, and in 1812 was chosen vice-president of the College of New Jersey, and professor of mathematics and philosophy. He continued his connection with the college until the autumn of 1817, when he resigned his position, and removed to Cincinnati, Ohio. There he devoted himself to his professional pursuits in connection with one or more of the scientific institutions of that city, being at one time professor of chemistry in the Ohio Medical College, and at another president of the College of Cincinnati. In the fall of 1837 he removed to Brownsville, Haywood County, Tenn., and established a high school for the education of young men; his school was filled to overflowing, and many of the most prominent men of that region gratefully acknowledge the advantage derived from his instruction. Although without pastoral charge, he preached constantly as Providence made an opening. During the seven years that he remained in the South he accomplished much in the promotion of the interests of religion, and the advancement of the cause of learning. In 1844 he returned to Cincinnati, where he continued to reside until his death.

*May* —.—WAITE, Col. CARLOS A., U. S. A., died at Sackett's Harbor, N. Y., aged 66 years. He was appointed to the army from civil life in 1820, as second lieutenant of the Second infantry, and promoted to first lieutenant in 1828. He was made a captain in July, 1836, and received a staff appointment as assistant quartermaster in 1838. On the breaking out of the war with Mexico he relinquished his staff appointment, and, as major, joined the Eighth infantry for field service. He commanded this regiment in the valley of Mexico during Gen. Scott's campaign against the capital, and was brevetted lieutenant-colonel and colonel, the first for gallantry and meritorious conduct in the battles of Contreras and Churubusco, the second for gallant and meritorious conduct at El Molino del Rey, in the last of which battles he was wounded. He was promoted lieutenant-colonel of the Fifth infantry, November 10, 1851; and colonel of the same, June 5, 1860.

In 1861 Col. Waite was sent by the Government to supersede Gen. Twiggs in Texas, of whose treason it had received sufficient proofs. Before, however, he could reach Texas, Gen. Twiggs had surrendered to the Confederate commander. After continuous service during the rebellion, he was placed on the retired list in February, 1864, and returned to New York, broken down in health from long service. He was a man of perfectly correct and exemplary habits, and a most conscientious, gallant, and faithful officer.

*June 4.*—FLETCHER, CALVIN, an eminent lawyer and philanthropist, died in Indianapolis, Ind. He was a native of Vermont, and, owing to the financial troubles succeeding the war of 1812, was compelled to give up a classic education. He, however, gave himself closely to study, and perseveringly obtained an education far beyond that of the usual college course. He entered the Supreme Court of Virginia in 1819, but such were his conscientious scruples in regard to the subject of slavery, that he left the Old Dominion, and took up his residence in the new capital of Indiana in 1821. For a quarter of a century he was the first lawyer of the State. Twenty years ago he retired from the law, and became one of the largest bankers and agriculturists in the West. His private charities, though unostentatious, were very great during his lifetime, and were ever regulated by the highest Christian motives. Besides sending five sons to Brown University, it was said that he had given a college education to no less than sixteen meritorious young men at different institutions in this country.

*June 5.*—STUDDIFORD, Rev. PETER O., D.D., a Presbyterian clergyman and an eminent scholar, died in Baltimore, Md., aged 67 years. He was a native of Reddington, N. J., graduated at Queen's (now Rutgers') College in 1816, taking the highest honors of his class. He then taught a classical school at Bedminster, and subsequently at Somerville, and entered Princeton Theological Seminary in 1819. He was licensed to preach the gospel by the New Brunswick Presbytery, April 28, 1821, and under the direction and employ of the Board of Missions, preached at Bristol, Tullytown, and other places in Pennsylvania. On November 29, 1821, he was ordained by the presbytery of New Brunswick, and December 2, 1821, began his labors at Lambertsville and Solebury as stated supply. In June, 1825, he was installed pastor of the two churches he had been supplying, and continued in charge of the latter congregation till 1848, and of Lambertsville until his death. He was a thorough scholar, a faithful and successful pastor, and a beloved citizen.

*June 7.*—YEATES, Miss CATHARINE, founder of the Yeates Institute for the education of young men for the Episcopal ministry, died at Lancaster, Pa., aged 83 years. She was a native of Lancaster, and a daughter of the late Hon. Jasper Yeates, judge of the Supreme Court of Pennsylvania. She devoted to the above-named institute a legacy of \$26,000,



which had been bequeathed to her, and also contributed \$800 per year from her private funds.

*June 11.*—PECK, Capt. ELISHA, U. S. N., for fifty-three years in the naval service, died in New Haven, Conn., aged 86 years. He was a native of New Haven, and at thirteen years of age went to sea as cabin-boy in a brig bound to the West Indies, and continued in the merchant service till 1813, with the exception of two years' forced service on board an English man-of-war. Serving on different ships and in different positions, the year 1821 found him acting sailing-master of the line-of-battle ship Franklin, in the Pacific. He was on the Brandywine when she took Gen. Lafayette to France, and on her cruise in the Mediterranean in 1825. In 1826 he was promoted to a lieutenantancy. He served upon the Java, Delaware, Falmouth, Dolphin, and others, and from 1840 to 1843 was senior lieutenant of the New York Navy-Yard. In 1843 he was commissioned commander, and from 1852 to 1855 was in command of the receiving-ship North Carolina at New York. In September, 1855, he was placed on the reserved list with leave-pay as commander, and in 1863 was promoted to captain. During three years of the late war he was in command of the naval rendezvous at Portsmouth, N. H.

*June 11.*—PORTER, WILLIAM SMITH, an editor and teacher, died at New Haven, Conn., aged 67 years. He was a native of Farmington, Conn., graduated at Yale College in the class of 1825, and spent the following year as acting professor of mathematics in Jefferson College. In 1829 he completed his theological course at New Haven, and afterward preached for a time in Prospect, Conn. He was subsequently editor of an antislavery newspaper in Boston, a teacher in Monson, Mass., and a surveyor in Farmington, Conn., and for the last fifteen or twenty years had been engaged in mathematical and statistical pursuits, compiling for a number of years the "Connecticut Annual Register," and other similar publications.

*June 13.*—ODELL, Hon. MOSES F., a prominent citizen of Brooklyn, N. Y., naval officer of the port of New York, died at his residence in Brooklyn, aged 48 years. He was a native of Tarrytown, Westchester County, N. Y., received a common-school education, and from a humble clerkship in the custom-house rose to the office of assistant collector of New York City, was public appraiser under President Buchanan, a Representative from New York to the Thirty-seventh Congress, and reelected to the Thirty-eighth Congress, serving on the Committee on Military Affairs. When the war broke out, Mr. Odell warmly supported the policy of the Government, and while in Congress voted for the constitutional amendment abolishing slavery in the United States. As a member of the Congressional Committee on the Conduct of the War, he was prominently before the public. He was a warm personal friend of President Lincoln. In 1865 he was appointed naval officer

of the port of New York, and held that position until his death. Mr. Odell was for many years deeply interested in the welfare and prosperity of Sabbath-schools, devoting much time and influence to the work.

*June 17.*—CODDING, Rev. ISHABOD, a Presbyterian clergyman and antislavery lecturer of great eloquence, died at Baraboo, Wis. He was born in Bristol, New York, in 1811, and early manifested the eloquence and zeal for reform which characterized his entire life, becoming a popular lecturer on temperance at the age of 17. At the age of 20, he entered Canandaigua Academy, and prepared for college, teaching in the English department, to pay his way. He entered Middlebury College in 1834, and while maintaining a fair rank as a student, became so much interested in the antislavery cause, that in his junior year he asked and obtained permission of the faculty to go out for a few weeks and plead the cause of the slave. His addresses, though courteous in tone, were so fervid and eloquent, that they raised a violent opposition, and more than once his life was in danger. The college faculty, terrified by the fury of the populace, represented that young Coddling was a truant from his college duties. On his return, he learned that they had made these statements, and going before them he compelled them to own their prevarication and retract the censure; and then, disgusted with their course, he left the college. For the next five years he traversed the New England States and New York, as the agent and lecturer of the American Antislavery Society, thrilling the hearts of his hearers by his eloquence; and though persecuted and often seriously injured by the mobs, he never lost his self-command, or displayed a violent or vindictive spirit. In 1842 Mr. Coddling removed to the West, where he spent the most of his remaining life. He had entered the ministry of the Congregational Church, and was a pastor successively at Princeton, Lockport, Joliet, Baraboo, Wis., and Bloomington, Ill.; but the cause of the slave was ever near his heart, and his rejoicing at the emancipation proclamation and the prohibition of slavery by the constitutional amendment was manifested by public addresses of more than his usual eloquence and fervor. He had in the 24 years of his residence in the West lectured in almost all parts of Illinois, and was greatly admired and beloved. His death was the result of acute disease.

*June 18.*—MERRICK, Rev. JAMES L., a Congregational clergyman, and former missionary to Persia, died at Amherst, Mass., aged 63 years. He was a native of Monson, Mass., was educated at the academy in that town, graduated at Amherst College in the class of 1830, studied theology at Princeton, and removing South for his health, was licensed to preach, and ordained as an evangelist at Charleston, S. C., April, 1834. The following August he received from the American Board his instructions as a missionary to the Mohammedans in Persia,



arrived at Tabreez, October, 1835, and after two years of labor and exploration, joined the Nestorian Mission at Oroomiah, where he remained till June, 1845. Returning home to this country, upon the abandonment by the American Board of all direct labors among the Mohammedans, he was installed pastor of the Congregational Church in South Amherst, in 1849, where he labored fifteen years. During the late war he gave a bounty from his own purse to every soldier who enlisted in his own parish, and at his death bequeathed his entire property to the four institutions in which he received his classical and theological education, to be appropriated to four Persian scholarships.

*June 21.*—MARGUERITES, Madame JULIE DE, or Mrs. REA, an authoress, and dramatic and musical critic, died in Philadelphia, aged 52 years. She was a native of London, England, and daughter of Dr. A. B. Granville, F. R. S., an eminent medical practitioner and author. Julie, at an early age, married Baron de Marguerittes, a Frenchman of unquestionable station and character. The baron being wealthy and of a somewhat roving disposition, devoted many years to travel, and, in company with his wife, visited every European capital, and the various localities made famous in prose or poetry. Her wonderful familiarity with European affairs and its interesting scenes is thus accounted for. The revolution of 1848 found the baron in Paris, and, having taken sides with the unsuccessful party, he was compelled to leave France, and take an asylum in the United States. Very soon after their arrival in this country, she became a contributor to the New York "Sunday Courier," writing the "Ins and Outs of Paris," a work which was afterward published in book-form, and met with a rapid sale. About 1856, immediately after the death of her husband, she removed to Philadelphia, and became connected with the "Sunday Transcript," and remained attached to that paper up to the time of her death, in the capacity of dramatic critic, and as a contributor of "Parisian Pickings," and other admirable papers. After the death of Baron de Marguerittes, she married George G. Foster, who died in 1850. He is well known in connection with the light literature of the country. She was afterward married to Samuel J. Rea, a well-known *attaché* of the Philadelphia press. Madame Marguerittes was one of the most voluminous writers in the country. By the indefatigable use of her pen, she not only supported her children, but educated them with great care and expense.

*June 22.*—EISENUTH, BERNARD, the oldest man in Pennsylvania, died at Newcastle, Schuylkill County, aged 111 years. Until 105 years of age, he worked regularly in the field.

*June 24.*—BARRETT, Rev. SAMUEL, D. D., a Unitarian clergyman, of Boston, died in Roxbury, Mass., aged 70 years. He was a native of Royalston, in that State, was educated at Wilton, N. H., graduated at Harvard College,

in 1818, and subsequently at the Theological School at Cambridge. In 1825 he became pastor of the Twelfth Congregational Society, and for a time edited the "Christian Register." In 1850 he went to Europe for a few months, and in 1860 retired from the pastorate, since which time he has resided in Roxbury. The degree of D. D. was conferred upon him by Harvard College in 1847.

*June 24.*—KENNARD, Rev. JOSEPH H., D. D., an eminent Baptist clergyman of Philadelphia, died there, aged about 70 years. He was an eminent divine, and had been a pastor in that city for forty years.

*June* —.—COOKE, JOHN H., a brigadier-general in the war of 1812, died in Richmond, Va., aged 86 years. He was a successful farmer, and a vigorous agricultural writer.

*July 1.*—AVERY, Hon. EDWARD, died at Wooster, Ohio, aged 76 years. He studied at Fairfield, Conn., graduated at Yale College in the class of 1810, studied law, and was admitted to the bar of Connecticut. In 1816, he visited England, and in the following year removed to Wooster, Ohio, where he continued the practice of his profession until his death. He was for two years a member of the State Senate, and in 1847 was elected a judge of the Supreme Court of Ohio, his term expiring in 1851.

*July 2.*—PARHAM, Col. WILLIAM ALLEN, a Confederate officer, died at Warrenton, N. C. He entered the service of the Southern army as first lieutenant of the Sussex Sharpshooters, was afterward provost marshal of Norwalk, and subsequently participated in all the battles of the army of Virginia up to May, 1863; was severely wounded at Malvern Hill, and never fully recovered his health, though having a part in several subsequent engagements.

*July 6.*—BRUCE, GEORGE, one of the earliest and most eminent type-founders in the United States, died in New York, aged 85 years. He was born in Edinburgh, Scotland, June 26, 1781, and emigrated to the United States, where his brother David had preceded him, in June, 1795. He first attempted to learn the trade of a book-binder, but his master being tyrannical and exacting, he left him, and by his brother's persuasion apprenticed himself to Thomas Dobson, printer, in Philadelphia. In 1798 the destruction of Dobson's office by fire, and the prevalence of the yellow fever, drove the brothers from Philadelphia. George had the yellow fever at Amboy, but recovered through his brother's care, and the two went to Albany, and obtained employment there, but after a few months returned to New York. In 1803 young Bruce was foreman and a contributor to the "Daily Advertiser," and in November of that year printer and publisher of that paper for the proprietor. In 1806 the two brothers David and George opened a book printing-office at the corner of Pearl Street and Coffee-House Slip. "Lavoisier's Chemistry" was the first work printed by them, and all the labor was performed



by themselves. Their industry and personal attention to business soon gave them abundant employment, and in 1809, removing to Sloat Lane, near Hanover Square, they had nine presses in operation, and published occasionally on their own account. In 1812 David went to England, and brought back with him the secret of stereotyping. The brothers commenced this process, but found many difficulties, which it required all their ingenuity to surmount. The type of that day was cast with so low a bevelled shoulder that it was not suitable for stereotyping, as it interfered with the moulding and weakened the plate. They found it necessary, therefore, to commence casting their own type. They invented, also, the planing machine for planing the backs of the plates and reducing them to a uniform thickness, and the mahogany shifting-blocks to bring the plates to the same height as type. Their first stereotype works were school editions of the New Testament in bourgeois, and the Bible in nonpareil, published in 1814 and 1815. They subsequently stereotyped the earlier issues of the American Bible Society, and a series of Latin classics. In 1816 they sold out the printing business, and bought a building in Eldridge Street for their foundry. Here, and subsequently in 1818 when they erected the foundry still occupied by their successors in Chambers Street, George gave his attention, ingenuity, and enterprise to the enlargement and development of the type-founding business, while David confined his labors to stereotyping. In 1822 David's health failed, and the partnership was dissolved. George soon relinquished stereotyping, and gave his whole attention to type founding, and introduced new and valuable improvements into the business, cutting his own punches, making constantly new and tasteful designs, graduating the size of the bodies of the type so as to give them a proper relative proportion to the size of the letters. In connection with his nephew, David Bruce, Jr., he invented the only type-casting machine which has stood the test of experience, and is now in general use. His scripts became famous among printers as early as 1832, and have retained their preëminence up to the present time. The last set of punches which he cut was for a great primer script. He was at this time in his 78th year, but no other artist has approached this in the beauty of design or neatness of finish. Mr. Bruce was a man of large benevolence, of unflinching integrity, and great decision of character. He was president for many years of the Mechanics' Institute, and of the Type-Founders' Association, and an active member of, and contributor to, the Historical Society, St. Andrew's Society, the Typographical Society, and the General Society of Mechanics and Tradesmen.

*July 6.*—MALLORY, Judge GARRICK, an eminent lawyer, of Philadelphia, died in that city, aged 82 years. He was a native of Woodbury, Conn., graduated at Yale College, in 1808, and for some time after was principal of the academy at Wilkesbarre, Pa.; studied law at Litchfield, Conn.,

and was admitted to practise at Wilkesbarre in 1811. In 1827 he was elected to the Legislature of Pennsylvania, without party nomination, and was reëlected in 1828-'29 and '30. From his position as chairman of the respective committees, he was largely instrumental in establishing the general improvement and penitentiary systems of Pennsylvania. In 1831 he was appointed by Governor Wolf presiding judge of the third judicial district of that State, which position he resigned in 1836, and in November of the same year removed to Philadelphia, to resume the active practice of law. In this he was eminently successful. For several years past he held the office of master in chancery for the Supreme Court of his State. Judge Mallory was at the time of his death the oldest practising member of the bar of Philadelphia. To such an extent did he retain his vigor that, only six weeks before his death, he conducted a most important and hotly contested jury trial, lasting more than a week. He received in 1840 the degree of LL. D. from Lafayette College.

*July 6.*—TOULMIN, Gen. T. L., a statesman of Alabama, died at Mobile, aged 70 years. He had filled various public offices, and was reëlected for a long series of terms to represent the Mobile district in the State Senate.

*July 11.*—CHILDS, Hon. SILAS D., a prominent and philanthropic citizen of Utica, died suddenly of disease of the heart. He was a man of large liberality, and at his death bequeathed \$30,000 to Hamilton College, and \$60,000 to other benevolent objects.

*July 11.*—GRIER, JOHN MASON, a prominent lawyer and editor of Philadelphia, died in that city, aged 34 years. He was a native of Chester, Pa.; attended a partial course at Lafayette College; studied law and was admitted to the bar of that State in 1854, and a few years later was admitted to practise in the United States Supreme Court. Having a fondness for journalism, he became connected with the Philadelphia "Register," and after that paper was discontinued, with the "Public Ledger." Subsequently he removed to Missouri, and commenced the publication of a paper, which, by its advocacy of freedom, brought upon him the hatred of the people, who, upon the breaking out of the war, burned his home, laid waste his fields, and drove him East again. Upon his return to Philadelphia he became at once attached to the editorial staff of the "Evening Telegraph," which position he held until the day of his death.

*July 11.*—RAY, D. W., an editor of some note, died at Jackson, Mich., aged 35 years. He commenced his newspaper career by editing a horticultural journal in Central New York, being at the time engaged in the nursery business. He next published the Albion (Orleans County, N. Y.) "Republican," and from that paper went to the Rochester "Democrat," of which he was local editor about three years. From that office he removed to the local department of the "Advertiser and Tribune," where he remained



for a year. He then went to Jackson, and, in conjunction with O'Donnell, started the "Daily Citizen," with which enterprising paper he was connected at the time of his death.

*July 12.*—HOYT, REV. NATHAN, D. D., an eminent Presbyterian clergyman, died at Athens, Ga. He had been for nearly 40 years pastor of the Presbyterian Church in Athens, and was one of the leading divines of the South.

*July 14.*—BLOODGOOD, SIMEON DE WITT, a prominent merchant and politician of New York, died in that city, aged 67 years. He was a native of Utica, N. Y. After receiving a collegiate education, he removed to Albany, and married a daughter of General Van Schaick, and from thence took up his residence in New York, where he soon became distinguished for his Whig principles. Much of his time was employed in literary pursuits, and of the kind which he might well hope would speak for him to posterity. He was the author of several published books, and of innumerable essays which appeared in several periodicals and newspapers; and all written in a style of uncommon clearness, and generally devoted to the dissemination of useful knowledge and good morals. He was at the time of his death a member of the Chamber of Commerce of the city of New York, in whose discussions he often bore a prominent part. A few months ago he was appointed consular representative of the United States of Colombia.

*July 15.*—DONELAN, REV. JOHN P., a Roman Catholic clergyman and author, died at Rockford, Ill., aged 60 years. He was a native of Boston, Mass., was educated for the priesthood at Baltimore, and soon after his ordination was appointed assistant pastor at St. Patrick's Church, in Washington City. After remaining there several years, he built, in 1838-'39, St. Matthew's Church, just northeast of the President's Square, of which he was made pastor. Here he soon gathered a congregation of unusual size in that city, and twice while he was there the building had to be enlarged. He subsequently was transferred from Washington to Baltimore, where his mission was equally successful. After leaving Baltimore, he removed to Illinois, and was appointed to St. James's Church, at Rock Island. While on that mission, he obtained leave of absence, and visited Europe, extending his journey to the far East. On his return, he published an account of his travels, and at various points in the Western States has delivered lectures upon the same subject. He was a ripe scholar, a man of vast reading and experience, and was universally beloved, but in an especial manner by the poor, wherever he was known.

*July 15.*—DUTTON, THOMAS RICE, a teacher and scientific explorer, died at Hartford, Conn., aged 49 years. He was a native of Stratford, Conn., and son of Rev. Matthew Rice Dutton, prof. of mathematics in Yale College, graduated at Yale College in 1837, and for the three years following his graduation was engaged in teaching at Savannah, Ga., and Columbia, Tenn.; and

then, in consequence of an injury to his eyes, embarked December, 1840, on a whaling voyage to the Pacific Ocean. He returned in 1843 to New Haven, and the next year was engaged in farming near Buffalo, N. Y. In 1845 he was again a teacher in Cornwall, Conn., and in New Haven, and in 1846 spent some months in the copper regions of Lake Superior, as a surveyor, both civil and mineralogical. Scientific employments at New Haven and in Ohio occupied the two following years, and in 1848 he was elected superintendent of the New Haven City Gas Company. He exchanged this position in 1850 for the corresponding one at Hartford, which he retained until compelled by ill-health to resign a few months before his death.

*July 16.*—WOODHULL, HON. CALEB SMITH, ex-Mayor of New York, died at Miller's Place, L. I., aged 74 years. He was a native of that town, graduated at Yale College in 1812, studied law, and in the fall of 1814, toward the close of the war with Great Britain, entered the army. He was admitted to the bar in 1817, and in 1836 was elected to the Common Council of the city of New York, which position he retained for eight years. In 1843 he was made president of the Board of Aldermen, and in the following year was nominated one of the presidential electors for the State of New York. In May, 1849, he was elected mayor of the city, serving in that capacity until January, 1851, when he retired from public life.

*July 18.*—VOLGER, REV. HIERONYMUS, pioneer Catholic priest, of Cincinnati, died in that city, aged 66 years.

*July 19.*—CALHOUN, DR. JAMES THEODORE, assistant surgeon, U. S. A., died of cholera, at Hart's Island, N. Y., aged about 32 years. He was a native of Rahway, N. J., graduated at the Philadelphia Medical College, in 1858, practised his profession until the outbreak of the civil war, when he obtained an appointment as assistant surgeon in Sickles' Excelsior Brigade, was promoted surgeon in October, 1861, and, after greatly distinguishing himself in the service, was, in 1863, appointed assistant surgeon U. S. A. Subsequently, he was for a time medical director of the Third army corps. In the fall of 1864 he was assigned to the Ward U. S. General Hospital, Newark, N. J., and for his services there and elsewhere, received the brevets of captain and major. In June, 1866, he was assigned to duty as post surgeon at Hart's Island, where he fell a victim to his untiring devotion in alleviating the sufferings of those under his care.

*July 19.*—GROVER, HON. JOHN, M. D., a physician and politician of Bethel, Me., died there, aged about 80 years. He was an active member of the first constitutional convention of Maine, and of its first Legislature, and State Senator in 1829.

*July 20.*—RICHMOND, REV. JAMES COOK, an Episcopal clergyman and author, was murdered in Poughkeepsie, N. Y., aged 58 years. He was a native of Providence, R. I., graduated at Har-



vard College in 1828, and immediately went to Göttingen, where he studied six months. He then went to Halle, where for some time he enjoyed the instructions of Gesenius and Tholuck. Before returning (in 1831) to America, he walked through Greece, and travelled in some other parts of Europe. While in Greece he became much interested in the cause of education, and afterward exerted himself to raise the necessary funds to found a college for girls at Athens, which, he said, Americans ought to provide, in repayment of their portion of the debt owed to Greece by all modern civilized nations. He was ordained deacon by Bishop Griswold, in St. John's Church, Providence, October 12, 1832, and priest in the same church, November 13, 1833. He assisted Bishop Griswold, at St. Peter's, Salem, for a short time, and spent the summer of 1834 in missionary efforts in Maine, especially in Augusta. He went to Illinois in the autumn, and held missionary services there; perhaps the most interesting was held at Beardstown, in the German language, where eighty emigrants received the sacrament of the Lord's Supper. They were of several religious denominations—Lutheran, Romanist, and Reformed; but all listened eagerly to an address in their own language, and gladly received the sacrament from the missionary's hands. In June, 1835, he became rector of St. Paul's Church, Norwalk, Conn., and the following year removed to New York, where he had charge of different churches until 1841, when he went to England, hoping to interest the English Church in a mission to the Turks. In 1842 he returned to his native city, where he was for a short time rector of Christ's Church. The following five years he devoted to missionary labor throughout the State, went to England and Scotland in 1848, and again in 1853 travelled over a large portion of Europe. Subsequently he was pastor of churches in Milwaukee, and in 1861 was chaplain of the Second Wisconsin regiment, to which many of his parishioners belonged. Two years later he returned to his farm in Poughkeepsie. He was the author of several pamphlets, among which are, "A Visit to Iona in 1846," published in Glasgow; "A Midsummer Day Dream," and "Metacomet," the first canto of an epic poem. He was also the principal mover in the work of translating the Prayer Book into the German language in 1839.

*July 21.*—JONES, Hon. NATHANIEL, died at Newburg, N. Y. He was a member of the New York Assembly in 1827 and 1828; a Representative in Congress from 1837 to 1841; State Senator in 1852 and 1853, and also held the offices of surveyor-general of the State, and canal commissioner.

*July 21.*—THORN, Hon. JAMES S., an editor of Troy, died in that city, aged 28 years. He received an excellent common-school education, was for a year a student at the Rensselaer Polytechnic Institute, afterward studied law with the Hon. Job Pierson, and entered on the "Troy

Whig" as local editor in 1857. Afterward he became a writer in the "Budget" for a brief period, was a legislative correspondent of the "Troy Times," and finally took a position as city editor on that paper, which he held until his death, although for the last seven months of his life the duties were performed by others. He was a frequent contributor to the columns of other papers. He held the office of city clerk of Troy for a brief period, and was elected to the Legislature last winter, where his illness prevented him from taking any prominent part.

*July 22.*—WHITE, Hon. THOMAS, formerly presiding judge of one of the judicial districts of Pennsylvania, died in Indiana, Pa., aged 67 years. He was a member of the Peace Congress of 1861.

*July 24.*—MORGAN, Brevet Brig.-Gen. GEORGE N., U. S. Vols., died at Minneapolis, Minnesota. He was a native of New York, removed to Minnesota in 1856, and settling at St. Anthony, assisted in erecting the first foundry and machine-shop at the Falls. At the outbreak of the war, although engaged in a prosperous business, and surrounded by a young and interesting family, to whom he was ever fondly attached, he left all, and was among the very first to join his country's defenders; enlisting in Company E of the First regiment Minnesota Volunteers, he was elected captain of that company at the organization of the regiment. Upon the resignation of Major Dike, in 1861, he was promoted to that grade, and became lieutenant-colonel in 1862. Immediately after the battle of Antietam he succeeded to the colonelcy of the same regiment, upon the promotion of Gen. Sully, and held that command until May, 1863, when his health failing entirely, he was transferred to the Veteran Reserve Corps, and became colonel of the Second regiment of that corps, which position he held until within a few days of his death. Gen. Morgan participated with the First regiment in all its battles (some fifteen in number), from Bull Run to Fredericksburg, inclusive. As a soldier, he was distinguished for bravery and coolness in action; as a commander, although a strict disciplinarian, he was noted for his impartiality and courteous bearing to those under his command, and for his watchful care over the interests and welfare of his men.

*July 24.*—TAYLOR, Rev. FITCH W., an Episcopal clergyman, senior chaplain of the U. S. Navy, and an author of much merit, died in Brooklyn, N. Y., aged 62 years. He was a native of Middle Haddam, Conn., graduated at Yale College in 1828, and was educated for the ministry, and soon after accepted a charge in the diocese of Maryland. In 1841 he received the appointment of chaplain in the U. S. Navy, which he held twenty-four years. In the course of his sea service he made a voyage around the world, an account of which he published under the title of "The Flag-Ship." He also published other works, and at his death left behind him several volumes in manuscript.



*July 27.*—HAYWARD, Prof. JAMES, civil engineer, and formerly professor of mathematics in Harvard University, died in Boston, Mass., aged 80 years. He graduated at Harvard, in the class of 1819.

*July 29.*—SMITH, Gen. MARTIN LUTHER, an officer in the Confederate army, died at Rome, Ga. He was a graduate of West Point, and served in the Mexican War. During the late war he was at the head of the engineer corps of the army, and, among other prominent performances, planned and constructed the defences of Vicksburg. At the time of his death he was chief engineer of the system of railroads which is to connect Selma, Ala., and Dalton, Ga.

*Aug. 2.*—PANGBORN, HENRY H., paymaster in the U. S. Navy, died at Pensacola, Fla., aged 27 years. He was formerly connected for several years with the press of New York, Boston, and Philadelphia. At the outbreak of the late war he entered the navy, and served throughout with great distinction.

*Aug. 2.*—SIMPSON, JOHN W., an eminent citizen of Newark, N. J., died there, aged 65 years. He was a man of fine scholarship and attainments, and was well known as a book-collector.

*Aug. 3.*—BEALE, JAMES M. H., died in Putnam County, W. Va. He was a native of that State, and was a Representative in Congress from the Shenandoah District from 1833 to 1837, and again from 1849 to 1853.

*Aug. 3.*—NEWMAN, Rev. WILLIAM P., a colored Baptist clergyman of Cincinnati, died in that city, of cholera, aged 51 years. He was born a slave in Richmond, Va., but escaped from bondage when a young man, and made his home in Cincinnati; was educated at Oberlin College, and entering the ministry became pastor of a church in Madison, Ind., and afterward of a church in the home of his adoption. Upon the passage of the fugitive-slave bill in 1850 he was obliged to leave the States, and settle in Canada, where he was pastor of several churches. Subsequently he labored for several years in Hayti and Jamaica as a missionary, under the auspices of the Free Mission Society, and, returning to Cincinnati, accepted the pastorate of the Union Baptist Church, which relation he continued until his death.

*Aug. 3.*—RUTHERFORD, Col. JOHN, died in Richmond, Va. He was for several years Lieutenant-Governor of that State.

*Aug. 4.*—PIERSON, Judge THOMAS B., a prominent Democratic politician of New Jersey, died at Newark, aged 66 years. He was twice appointed judge of the Court of Common Pleas of Essex County, and was highly esteemed throughout the State.

*Aug. 4.*—RUSSELL, GEORGE ROBERT, LL. D., an eminent foreign merchant and scholar of Manchester, Mass., died there, aged 66 years. He was a native of Providence, R. I., graduated at Brown University in 1821, studied law in Philadelphia, and was admitted to the bar of Rhode Island. His business tastes, however, soon induced him to abandon the law for a

mercantile career. He went to Lima, then to China, and finally founded a house in Manilla, where he gained a competence in a few years, and, retiring from business, returned to this country, and passed the remainder of his life at Manchester in the pursuit of agriculture and literature. In 1849 he received the degree of LL. D. from Brown University.

*Aug. 5.*—DOSTIE, Dr. ANTHONY P., a citizen of New Orleans, died from wounds received from the mob in that city of July 30th. He was a native of Saratoga County, N. Y., and was a barber by trade, but his fondness for study was such, that he soon became a prominent member of society. Turning his attention to dentistry, he became a proficient, and removed to Chicago to pursue his calling in a broader field. Here he continued some years in the successful practice of his profession, and subsequently removed to New Orleans, where his integrity of character and genial nature won him many friends. His support of the Government during the war drew the attention of those who desired its overthrow, and his fearlessness in the expression of his sentiments, while winning the respect of his friends, secured at the same time the intense hatred of his enemies. On the reorganization of the government for Louisiana, he was appointed auditor, and filled that position with credit to himself and profit to the State. In the spring of 1866 many of the citizens of Louisiana were desirous of having another session of the constitutional convention of 1864, which had adjourned to be reassembled by the call of its president. (*See LOUISIANA.*) The mob which, on the 30th of July, broke up that convention, sought out Dr. Dostie as one of its first victims, and, though unarmed, he was shot and beaten till he was supposed to be dead, and thrown into a cart with the dead bodies of the other victims of the mob. Being finally taken to the hospital, he survived six days, though in great suffering.

*Aug. 5.*—HORTON, Rev. JOTHAM WELLS, chaplain of the Louisiana constitutional convention, another victim of the New Orleans mob of July 30th, mortally wounded while endeavoring to dissuade the mob from murderous violence. He survived until the 5th of August, though in intense suffering. He was a native of Nantucket, Mass., and after obtaining a good education in his native State, had been called to the ministry in the Baptist Church. He spent some time in New York City, in connection with a new city mission enterprise, and after the occupation of New Orleans by General Butler, went to that city, and became pastor of a Baptist Church there. He was much beloved, and had distinguished himself by his unwearied ministrations, both temporal and spiritual, to the sick and wounded soldiers. After his death his body was sent to Boston, and the funeral services were attended by an immense concourse, such as has seldom been seen in that



city, who desired to do honor to him as a martyr to the cause of his country.

*Aug. 6.*—BUTTERFIELD, HON. MARTIN, died at Palmyra, N. Y., aged 76 years. He was a native of New Hampshire, and was elected a Representative from New York to the Thirty-sixth Congress, serving as chairman of the Committee on Agriculture.

*Aug. 8.*—STEPHENS, MAJOR JOSEPH, a well-known dwarf, died at Lyman, Me., aged 61 years. He was 36 inches high, and weighed 45 pounds.

*Aug. 9.*—BRANNAN, WILLIAM P., an artist and poet of Cincinnati, died in that city. He was a man of culture and varied information, and wrote under various cognomens, the most popular being "Vandyke Brown." He was the author of the "Harp of a Thousand Strings." Some of his paintings rank high in artistic merit.

*Aug. 9.*—VITI, VITO, a prominent Italian merchant of Philadelphia, died in that city, aged 80 years. He came to the United States in 1815, and settled at Alexandria, Va., where he was engaged as an importer of Italian marble and fancy goods. Subsequently he removed to Philadelphia, and was soon established in a thriving business.

*Aug. 10.*—TRACY, MAJOR WILLIAM R., police commissioner of Chattanooga, Tenn., died there in the 27th year of his age. He was a native of Cleveland, Ohio, and a graduate of Yale College. Before the commencement of the war he went to Tennessee, and soon after was major in the First Tennessee Cavalry.

*Aug. 10.*—WILLARD, CHARLES T., a skilful photographer of Philadelphia, was accidentally killed there. He was the inventor of the system of ciphers for telegraphing, used by the Government during the war.

*Aug. 11.*—GROSVENOR, REV. DAVID ADAMS, a Presbyterian clergyman, and founder of several female seminaries of distinction, died at Cincinnati, Ohio, aged 64 years. He was a native of Vermont, studied at Phillips's Academy, and graduated at Yale College in the class of 1826, having been hindered in the prosecution of his studies by a temporary failure of his eyes. After graduating, he spent one year at Ellington, Conn., as principal of the high school, and subsequently studied theology at New Haven; was licensed to preach in 1829, and commenced his labors in the ministry at Pomfret, Conn. In August, 1831, he went to Uxbridge, Mass., and in June following was installed over the First Evangelical Society of that place, as colleague pastor to the Rev. Samuel Judson, whose funeral services he preached and published under the title "The Believer Victorious." After eleven years his connection with the church in Uxbridge was dissolved in the summer of 1842. Accepting an invitation from the First Presbyterian Church of Elyria, Lorain County, Ohio, he removed thither, and commenced his ministry there in October of the same year, and was in-

stalled in February following. His ministry in Elyria continued for about ten years, and was terminated by a season of illness, which rendered him unable to preach for one year. In the autumn of 1853 he took charge of the First Congregational Church of Medina, where he continued for about nine years. After his pastoral work in Medina ceased, he prosecuted an agency for many months in aid of the Lake Erie Female Seminary, of which he had been from its commencement an active trustee, and greatly assisted in securing its endowment. Few ministers have done more to promote the cause of education than he. In each of the three places of his permanent ministry he originated and sustained female seminaries of a high order and extensive influence.

*Aug. 11.*—PLYMPTON, MAJOR P. W. L., brevet Lieut.-Colonel U. S. Army, died at Galveston, Texas. He graduated at West Point in 1847, and soon after joined his regiment, the Seventh Infantry, then commanded by his father, at the city of Mexico. After the Mexican War he served with his regiment in the Indian Territory, and commanded a battalion of it at the battle of Valverde, New Mexico. For his gallant conduct on this occasion he received the brevet of lieutenant-colonel U. S. Army. In 1863 he was promoted major of the Seventeenth U. S. Infantry.

*Aug. 11.*—WRIGHT, WASHINGTON, a journalist, died in San Francisco, Cal., aged 38 years. He was a native of New York State, and nephew of Silas Wright the statesman. His early advantages were very meagre, and at sixteen years of age he went with a company of volunteers to the war in Mexico, where he was employed in the hospitals until the end of the campaign, when he returned and entered into an engagement in the editorial rooms of the "Springfield Enterprise," Illinois. In 1855 he conducted the "Citizen" of Chicago, and the following year went to California, where he distinguished himself in connection with different papers in Sacramento, Placerville, Virginia City, and finally at San Francisco, where he was an associate editor of the "American Flag" at the time of his death.

*Aug. 12.*—HOLTZMAN, WILLIAM F., editor and proprietor of the "Daily Gazette," Little Rock, Arkansas, for the past twelve years, died there, aged 41 years. He was an able writer, honest, fearless, and independent. His death was caused by pulmonary consumption.

*Aug. 14.*—RUTHERFORD, JOHN COLES, a prominent Virginian politician, died at Rock Castle, Goochland Co., Va. He was a distinguished member of the bar, served his county in the House of Delegates for twelve years, and for his legal knowledge was frequently appointed chairman of the Committee of Courts of Justice; he was also Chairman of the Committee on Banks.

*Aug. 18.*—CARDER, REV. J. DIXON, D. D., an Episcopal clergyman, died at Milford, Conn., aged 63 years. He was born in Richfield, N. Y.



graduated at Geneva College, of which he was subsequently tutor, studied theology, and was ordained deacon by Bishop Onderdonk in 1830, and priest by the same at Ithaca, N. Y., in 1832. On becoming deacon, he took charge of the mission at Ithaca, and organized parishes in Candor, Richford, Elmira, and Danby, N. Y. In 1834 he became rector of St. John's Church, Fort Hamilton, N. Y., and soon after was local secretary of the Domestic Board of Missions, where he remained seven years. He then travelled in Europe three years, and on his return was again chaplain at Fort Hamilton, N. Y. He became rector of St. Peter's, Milford, Conn., May 1, 1848, and was instrumental in building there the beautiful stone church. He resigned the rectorship March 7, 1861, since which he has been secretary and general agent of the Domestic Committee.

Aug. 18.—DRAPER, Miss CHARLOTTE and Miss JULIA, sisters, and founders and associate principals of the "Draper Female Seminary" at Hartford, Conn., died in that city, aged respectively 70 and 68 years. The seminary which they founded, and over which they had presided for more than thirty years, was one of the best in New England, and had educated more than two thousand young ladies, many of whom had in their time become teachers.

Aug. 19.—TOMPKINS, Rev. JOHN, a Presbyterian clergyman, died in Marcellus, N. Y., aged 56 years. He graduated at Hamilton College in 1837, and subsequently at the Auburn Theological Seminary, soon after which he settled at Marcellus, laboring faithfully in his pastorate until his death.

Aug. 21.—KIMBALL, Rev. WILLARD, a prominent Baptist clergyman, and former editor, died at Newton Centre, Mass., aged 71 years.

Aug. 21.—WEYDEMAYER, Col. JOSEPH, U. S. Army, a Prussian exile, died in St. Louis, aged 48 years. He was a native of Westphalia, Rhenish Prussia. Early in life he became an artillery officer, and served with credit in the Prussian army at the same time with Gen. Willich, since so distinguished in our own national army. Col. Weydemeyer subsequently devoted his pen to the liberal cause, as assistant editor of a paper at Frankfort-on-the-Main, but after the unsuccessful issue of the revolution of 1848, left Germany with the throng of patriot exiles and located at London. Thence he corresponded with the "Reformer," a leading German radical paper of New York. Arriving in New York in 1851, he was associate editor in the conduct of the "Reformer," in company with Kellner, now of the "Philadelphia Democrat." From New York Col. Weydemeyer went to Milwaukee, where he was engaged for some time as civil engineer. He next became engaged at Chicago in editing the *Stimme des Volkes*, or "Voice of the People," the organ of the German Working-men's Association of Chicago. About seven years ago he took up his residence at St. Louis, and at the breaking out

of the war abandoned the pen for the sword, and was commissioned lieutenant-colonel of the Second Missouri Artillery, commanded by Colonel Almstedt. In 1863 he was associated with Dr. Hillgärtner in editing the *Neue Zeit*, but on the call for more regiments became colonel of the Forty-first Missouri Infantry, which regiment was assigned to guard the city, and Col. Weydemeyer for a long time held the position, and faithfully discharged the duties of commandant of the post of St. Louis. Col. Weydemeyer was a gentleman of modest pretension and kind disposition, a gallant soldier, an able writer, of strict integrity and honor, and devoted to the elevation of the laboring classes. His favorite theme was the economy of labor and the improvement of the condition of the working-men. Of indomitable industry, he was, up to the end of his life, in addition to his official duties, engaged in writing and publishing essays on his favorite topics connected with the labor question.

Aug. 22.—NAGLE, JAMES, Major-Gen. U. S. Vols., died at Pottsville, Pa. During the Mexican War he was a captain in the First regiment of Pennsylvania Vols., and in April, 1861, reëntered the service as colonel of the Sixth Pennsylvania Vols. He was attached to the command of Major-Gen. Paterson during the campaign ending with the battle of Bull Run, July 21, 1861, and was discharged at the expiration of his term of service. Subsequently he was in command of the Forty-eighth Pennsylvania Vols., and distinguished himself at South Mountain, where he commanded a brigade in Gen. Sturgis's division of Gen. Burnside's army corps.

Aug. 27.—WHITE, Judge FORTUNE C., a prominent lawyer of Oneida County, N. Y., died at Whitestown, aged 79 years. He was a native of that town, and grandson of Judge Hugh White, its founder; received a thorough academic course, and entered a mercantile establishment, but having a taste for study, turned his attention to the law, and at an early age became an active and efficient member of the celebrated firm of Storrs and White. The rapidity with which he rose in his profession attests the native strength of his intellect and the legal drill and discipline of his mind. Not only as a lawyer, but as a citizen and legislator, his forensic achievements, and the conceded statesmanship of his legislative career, marked him as among the prominent men of Central New York. As chief judge of the Court of Pleas and Quarter Sessions of Oneida County, from 1837 to 1843, he retained high reputation as a jurist and an able expounder of law. Endowed with a commanding presence, and a proclivity for martial display, he enrolled himself among the citizen-soldiers of his "beat," while yet in his minority; and devoting himself to the requisite drill and tactics, he rose rapidly, yet by regular gradations, to the command of a brigade in his county. During his military career, he served two campaigns in the war with Great



Britain; the first, in command of a company at Sackett's Harbor, in 1813; and again, as aide-de-camp to the commanding general in 1814.

*Aug. 28.*—MCELHONE, Brevet Lieut.-Col. JAMES F., U. S. A., died at Philadelphia from the effects of a wound received in the battle of Gaines Mills. He served as adjutant-general in New Hampshire, and as mustering and disbursing officer in New York and Pennsylvania.

*Aug. 31.*—FITZGERALD, Rev. FREDERICK, an Episcopal clergyman, died in Hoboken, N. J., aged 41 years. He was a native of England, but came to this country early in life and was educated at Valle Crucis, N. C.; was ordained priest in Philadelphia, Sept. 4, 1853, and soon after returned to North Carolina, where most of his ministerial life was passed. He preached in Jackson, Halifax, and Goldsborough, and in 1861 became assistant in St. Mary's School, Raleigh, and one of the editors of the "Church Intelligencer." In 1865 he came North, and became rector of Trinity Church, Hoboken, N. J., where he won the hearts of his people by his many excellences of character and his fidelity to his work. He had just accepted a call to a church in Nashville, Tenn., at the time of his death.

*Aug. 31.*—HOWELL, Rev. ISAAC P., a Roman Catholic clergyman, of Elizabeth, N. J., died at Stroudsburg, Pa., aged 57 years. He was a native of Philadelphia, and was educated at Mt. St. Mary's College, Emmettsburg, Md. He was ordained at Fordham, by the late Archbishop Hughes, and was sent on his missionary career to Elizabeth, where he officiated for twenty-three years. He died of pulmonary consumption, the pure air of Stroudsburg, which place he had visited in the hope of benefit to his health, proving unavailing to restore him. He had long been connected with religious and educational establishments, several of which he founded.

*Aug. —.*—CRAIDER, FREDERICK, a veteran of the Revolution and of the War of 1812, died at Meadville, Miss., aged 108 years.

*Aug. —.*—ROBINSON, Rev. J. J., D. D., formerly President of Marysville, College, Tenn., was thrown from his carriage and killed at Rogersville, Tenn. He had recently been elected president of a new institution at Bristol in that State.

*Aug. —.*—WADE, Hon. EDWARD, died in East Cleveland, Ohio, aged 63 years. He was a native of West Springfield, Mass, where he received a common-school education, and in 1821 removed with his father to Ashtabula County, Ohio, devoting his attention to agriculture until 1824. Subsequently he studied law in Albany and Troy, and in 1827 was admitted to the bar in Jefferson County, Ohio. In 1832 he removed to Unionville, and afterward settled in Cleveland. He was elected a Representative to the Thirty-third Congress, and was reelected, serving on the Committee on Commerce.

*Sept. 2.*—BURNHAM, Col. JAMES C., U. S. A., died in New York. He was appointed major

in the Second New York Infantry, December 3, 1846, and served with the command in that capacity from Vera Cruz to Churubusco. Subsequently he was promoted to be lieutenant-colonel in September, 1847, and led the regiment through the several battles around the city of Mexico. After the war he returned home with his regiment, and received great honor. Col. Burnham was city marshal of New York under the administration of Mayor Wood, and was a prominent politician for several years.

*Sept. 2.*—MARLAY, Rev. M., D. D., a Methodist clergyman, died of cholera at Ripley, Ohio. He was pastor of a church at Dayton, and, in company with the Rev. Robert Wallace, had attended the conference at Ripley, and parted but a few hours before the death of each.

*Sept. 2.*—WALLACE, Rev. ROBERT, a distinguished Methodist clergyman of Ireland, died of cholera at Cincinnati, Ohio. He was appointed as one of a deputation from the Irish Methodist Conference to the Methodist Episcopal Church in the United States, and to the Wesleyan-Methodist Church in Canada. Having visited Ripley, the seat of the Cincinnati Conference, he was *en route* for Laporte, Ind., and in passing through Cincinnati was seized with the epidemic which terminated his life.

*Sept. 7.*—BALDWIN, MATTHIAS W., an eminent citizen of Philadelphia, pioneer in American iron manufactures, died in that city, aged 70 years. In 1829, as soon as the news reached America of the success of steam locomotives upon the Liverpool and Manchester Railroad, he predicted the revolution the invention would accomplish in every branch of business, and the rapidity with which it would develop the resources of this country. In the same year the first model of a locomotive engine seen in America was constructed by him, and exhibited on a miniature railroad. After this experiment Mr. Baldwin devoted his energies to the manufacture of locomotives, and was the first to make them in this country. His work grew with the demand, till for many years before his death his establishment was one of the largest in the world, employing over a thousand workmen, and sending locomotives not only to all American States, but to Russia and other European countries. Many of the improvements in locomotive machinery were invented by him. But he did not confine his influence to a single department of industry. He was a liberal friend of the arts and sciences, and took a special interest in agriculture and horticulture. By enterprise in business he had gained a large fortune, which he freely used for the benefit of every deserving cause. Besides munificent gifts to city, State, and national charities without number, he erected several churches, and devoted freely of his means to the advancement of religious interests.

*Sept. 10.*—RANDALL, Hon. JOSIAH, a leading Democratic politician and lawyer, died in Philadelphia, aged 77 years. Having received his



school training under the direction of the Rev. Dr. Stoughton, a well-known Baptist minister, he was placed at the age of fourteen in a law-office, and early admitted to the bar. Soon after he was appointed clerk to the mayor's court, at that time a responsible and lucrative office. This position he resigned to join the Junior Artillerists, which had volunteered for service in the War of 1812. Toward the close of the war he was promoted to a colonelcy. In 1819 he was elected to the Legislature, and, although a very young man, the proceedings of the body show that he took an active and leading part. This was the last office he accepted, as he devoted himself earnestly to his profession, in which he had a large practice. He was a hard-working lawyer, and his industry and ability gave him eminence.

*Sept. 10.*—SAGE, OREN, an eminent manufacturer of Rochester, N. Y., died in that city, aged 79 years. He was a native of Middletown, Conn., and served as an apprentice to a tanner and shoemaker in that town until twenty-one years of age. His educational advantages comprised but a single month of schooling. In 1809 he removed to Ballston Spa, and in 1827 to Rochester, where by industry and perseverance he soon acquired a competency. He was a man of singular piety, and, while giving freely to the benevolent objects of the day, was specially interested in the Rochester University and Theological Seminary, of which he was a liberal benefactor.

*Sept. 13.*—ORME, Brig.-Gen. W. W., U. S. Vols., died at Bloomington, Ill. He was formerly a successful lawyer in that town, but at the commencement of the late civil war threw up a lucrative practice to enter the military service. He served with credit, but returned to his home in poor health, from which he never recovered.

*Sept. 13.*—WALKER, Rev. AUGUSTUS, missionary of the A. B. C. F. M. to Eastern Turkey, died of cholera, at Diarbekir, aged 44 years. He was a native of Medway, Mass., graduated at Yale College in 1849, and at Andover Theological Seminary in 1852; was ordained the same year at East Medway, and sailed, with his wife, for Smyrna, January 7, 1853. He was an earnest and faithful worker in the missionary field for more than twelve years.

*Sept. 17.*—CALDWELL, Hon. GEORGE ALFRED, a prominent lawyer of Kentucky, died at Louisville. He was a native of that State, and was a Representative in Congress from 1843 to 1845, and again from 1849 to 1851.

*Sept. 17.*—WRIGHT, Rev. E. W., D. D., a distinguished Presbyterian clergyman, died in Alleghany City, aged 49 years. He was a native of Lancaster, Ohio, graduated at Miami University, Ohio, studied theology one year at Princeton, and completed his course in the Theological Seminary at Alleghany in 1838. In October, 1839, he was ordained an evangelist at Frankfort, Ind. Previous to this he had labored some time in Lafayette, Ind., and had received a call to the church in that place, but

had declined it, owing to the troubles growing out of "the division of 1838." Afterward the call was renewed; he accepted, and was installed pastor in October, 1840. He continued in this pastorate five and a half years, and then accepted an agency for the Board of Education in the West, the duties of which he performed for six months. He then took charge of the church at Delphi, Ind., of which he continued to be pastor for a period of nearly twenty years. But his labors were by no means confined to his own particular field. Very many were the protracted meetings which he held, or at which he assisted, in neighboring and also in distant churches. Because of his vigorous constitution in early life, he seems to have considered himself possessed of special fitness for the extensive travel and "much hardness" encountered by pioneers in founding and caring for churches in new countries. For him to swim his horse and himself through canals, creeks, and rivers, and to continue his journey "just as he was," was no uncommon occurrence. At the time he became connected with the Synod of Indiana, it extended from the Ohio River on the south into Michigan on the north, and to Missouri on the west; and to attend the meetings of the synod required a ride on horseback sometimes of 150, 200, or even 300 miles. Dr. Wright was stated clerk of the Synod of Northern Indiana from the time of its formation, in 1842, until his removal to Alleghany.

*Sept. 20.*—PEASLEE, Gen. CHARLES H., one of the most conspicuous public men of New Hampshire, died at St. Paul, Minnesota, aged 62 years. He was born in New Hampshire, in 1804, graduated at Dartmouth College in 1824, and coming to the bar after a regular study of his profession, settled in Concord, the capital of that State. He was a State representative from 1833 to 1837, adjutant-general from 1839 to 1847, and a member of the National House of Representatives from 1847 to 1853. On retiring from Congress, he was immediately appointed Collector of Customs at Boston by President Pierce, a position which he filled four years with eminent ability and success. Since 1857 he had resided in Portsmouth. He was a gentleman of generous and genial impulses, upright in his life, public-spirited, and filled with honor every position to which he was called, enjoying the respect and confidence of the people of his State to the last. He was among the most active originators of the insane asylum of his State, and a member of the board of directors from its establishment to the time of his death.

*Sept. 21.*—HANSON, Mrs. JOHN T., a niece of Oliver Goldsmith, died at West Hoboken, N. J., aged 80 years.

*Sept. 21.*—SCRIPPS, JOHN L., a journalist of Chicago, and former postmaster of that city, died at Minneapolis, Minn. He was a native of Missouri, graduated at McKendree College, Lebanon, Ill., and temporarily filled a professorship in that institution. Subsequently he



studied law, and in 1847 removed to Chicago, and entered upon the practice of his profession. In 1848 he became connected with the press of that city, and was one of the founders of the "Chicago Tribune." About a year since his failing health compelled him to retire from his editorial labors, and he had sojourned but a few months in Minnesota at the time of his death.

*Sept. 21.*—WILDER, DAVID, M. D., a prominent citizen and statesman of Massachusetts, died in North Leominster, aged 88 years. He was educated as a physician, but abandoned the practice on account of his health. His public life commenced as Representative from Leominster in 1809, and he was a member of both Houses of the Legislature at different times. In 1837 he was chosen treasurer of the Commonwealth, and served the constitutional term. His last act, as State official, was to sign the sterling bonds issued to the Western Railroad, which had thirty years to run.

*Sept. 22.*—DIMSDALE, Prof. THOMAS J., superintendent of public instruction in Montana, died in Virginia City, Montana Ter. He was an Englishman by birth, and became a resident of Montana in 1864, where he engaged in the work of educating American youth. For some time he had editorial charge of the "Post" of Virginia City.

*Sept. 23.*—MOORE, Hon. JOHN, a prominent citizen of Illinois, died in Boston, aged 72 years. He was a native of Great Britain, but removed to this country and settled in Illinois soon after it became a State. His first appearance in public life was as a member of the first Legislature at Vandalia, in 1836, and from that period he has been a prominent actor in the political history of the State. In 1842 he was elected Lieutenant-Governor, and was for several years State Treasurer, for his faithful management of which he received the *sobriquet* of "Honest John Moore." During the Mexican War he served as lieutenant-colonel, and participated in a number of severe engagements.

*Sept. 24.*—STEELE, Hon. JOHN B., member of Congress from New York, was killed by being thrown from his carriage at Rondout, N. Y., aged 52 years. He was a native of Delhi, Delaware County, N. Y., was educated at Delaware Academy, and at Williams College, Mass.; studied law, and was admitted to the bar in 1839. In 1841 he was appointed district attorney for Otsego County, and in 1847 removed to Kingston, Ulster County, and thence pursued his profession. In 1850 he was elected special judge of the county, and in 1860 was elected a Representative from New York to the Thirty-seventh Congress, serving on the Committees on the District of Columbia, and on Revolutionary Pensions; was reelected to the Thirty-eighth Congress, again serving on the Committees for the District of Columbia, and on Expenditures in the War Department.

*Sept. 26.*—JOSEPHS, SOLOMON, a distinguished stock and exchange broker of New York, died

in that city, aged 68 years. In company with his brothers, he removed from Richmond, Va., about the year 1825, and settled in New York, where they did a prosperous business until the crash of 1837, when, like many others, they were obliged to succumb to the financial pressure. He was well known for his liberal spirit and integrity of character.

*Sept. 26.*—SCHUYLER, Capt. THOMAS, a prominent citizen of Albany, died in that city, aged 55 years. He began life as a cabin-boy on his father's sloop, and passed through every grade of his profession. In 1842, under the firm of Schuyler and Brainard, he engaged in the tow-boat business on the Hudson River, and soon after organized the Schuyler line of tow-boats, which is still in successful operation. He was also the managing owner of the passenger-boats Belle and Rip Van Winkle for a number of years. He was one of the original founders of the Bank of the Capital, of which he was president until it closed business; also of the Commerce Insurance Company, of which he was vice-president, and of the First National Bank, of which he was president. Although he had uniformly refused to accept any political office, he consented, a few years since, to take the office of alderman, which he held through one term. He was a sincere philanthropist, and gave liberally to missions, schools, and churches.

*Sept. 27.*—SNOW, GEORGE M., former commercial editor of the New York "Tribune," died in New York, aged 54 years. He was a native of Boston, but removed to New York soon after his education was completed, and was for some time engaged in mercantile pursuits, devoting his leisure hours to the lighter walks of literature. When the "Tribune" was started, he took charge of the commercial department, which he retained for over twenty-two years. In 1863, finding his health suffering from too close application to business, he departed with his family to Europe, where he spent a year in Rome and Paris, but without permanent benefit. Upon his return, he sold his interest in the "Tribune" and turned his attention to certain railroad enterprises.

*Sept. 28.*—GIBSON, Dr. LORENZO, former Surveyor-General of Arkansas, and a prominent politician of that State, died at Little Rock, Ark., aged 63 years. He was a native of Tennessee. He studied law at Clarksville, Tenn., and was admitted to the bar at an early age, but in consequence of a disease which embarrassed him in the practice of the legal profession, he abandoned it and entered upon the study of medicine, and soon rose to eminence in practice. In 1834 he removed to Arkansas, and established himself as a merchant at Little Rock. In the financial crisis of 1837, he, like most of the merchants of Arkansas, was compelled to succumb; and soon after resumed the practice of his profession, removing, in 1841, to Hot Springs County, where he combined farming with his practice. In 1849 he returned to Little Rock, where he resided till his death. Dr.



Gibson early became prominent in Arkansas politics. Between 1838 and 1856 he was four times a member of the Legislature; in 1840 he was the Whig candidate for Governor. In 1849 he was appointed by President Taylor Surveyor-General of Arkansas, and held the office for four years. In 1865 he was chosen Representative from the State in Congress, and at the time of his death was a prominent candidate for United States Senator.

*Sept. 29.*—ALEXANDER, CHARLES, one of the oldest journalists in the United States, died in Philadelphia, aged 70 years. He was a native of that city, and at the age of 16 years was apprenticed to a printer. Subsequently he purchased the old printing-office of Benjamin Franklin, with type and presses. He edited and published the "Daily Chronicle," and afterward the "Saturday Evening Post," and was publisher of "Graham's Magazine," Burton's "Gentleman's Magazine," and the "Lady's Book."

*Sept. —.*—SPAULDING, MISS ALMY, a noted teacher of Providence, R. I., died in that city, aged 70 years. Her early life was passed in Bristol, R. I., whence she removed to Providence about 1833, and opened a private school in the third ward. After teaching thus for two years, she was appointed principal of a primary school, a position which she retained until 1864, when she was transferred to another primary school, which she conducted for one or two years. Miss Spaulding was a veteran teacher, having served the city of Providence for nearly a generation. During that time, more than three thousand different pupils received more or less of her discipline and instruction, and she lived long enough to receive under her care the children and grandchildren of those who first learned their alphabet from her. She possessed a strong love for her work, especially that portion of it which partook of a benevolent character, and not only attended to the mental wants of her pupils, but was constantly using her own means, or procuring aid from others, to clothe and feed those who came to her school in destitute circumstances.

*Oct. 1.*—BURNETT, HENRY C., a lawyer of Kentucky, died in Louisville, of cholera, aged 41 years. He was a native of Essex County, Va., but removed early to Kentucky, where he entered upon the practice of law, and was for two years clerk of the Circuit Court of Trigg County. He was elected to Congress in 1855, and again two years afterward; also in 1859 and 1861, but was expelled for his open sympathy with the South. Serving in the Confederate Senate, he remained until the overthrow of the Confederacy, and since that time has exerted himself to restore the peace Democrats to the ascendancy in his State.

*Oct. 2.*—HAPPERSETT, REV. REESE, D. D., a Presbyterian clergyman, for many years Secretary of the Presbyterian Board of Domestic Missions, died in Stockton, California.

*Oct. 3.*—CULVER, JAMES D., formerly a prom-

inent lawyer of New York, died on his plantation on the Wachita River, Louisiana, aged 50 years. He was a man of highly cultivated intellect and extensive influence.

*Oct. 3.*—KINGSBURY, Colonel CHARLES, JR., U. S. Vols., died at Ironton, Ohio, aged 28 years. His first connection with the army was as major in an Ohio regiment; then he became assistant adjutant-general, served with General Rosecrans in West Virginia, and was appointed on the staff of General John F. Reynolds, where he won military honors. At the battle of Gaines's Mill he was taken prisoner, and after his release was appointed to the staff of General Sheridan, sharing in all the exploits of that renowned officer. At the termination of the war Colonel K. returned to the peaceful pursuits of business, where he was ever beloved and respected for his integrity and faithfulness to duty.

*Oct. 4.*—DICKENS, AUGUSTUS N., brother of Charles Dickens, the celebrated novelist, died at Chicago, Ill., aged 40 years. He was the original "Boz," this being the pet name given by his family, and was born at Landport, near Portsmouth, Eng.; emigrated to America, and purchasing land at Amboy, on the Illinois Central Railway, engaged in mercantile pursuits. Losing his money invested, he removed to Chicago with his family, and entered the land-office of the Illinois Central Railway as corresponding clerk, which position he filled at the time of his death. Previous to his coming to this country he was a correspondent of the "London Daily News."

*Oct. 4.*—OSBAND, General D. E., a distinguished cavalry officer of U. S. Vols., died on his plantation in Mississippi. His death was caused by over-exertion in the care of the freedmen in his employ, during an epidemic of cholera.

*Oct. 4.*—RAREY, JOHN S., the celebrated horse-tamer, died at Cleveland, Ohio, aged 38 years. He was born in Franklin County, Ohio, and at an early age showed a knack in the management of horses, which induced the neighbors to submit their intractable beasts to his powers. His own system, by which he gained so much celebrity and profit, was worked out by degrees from his observations on equine peculiarities. In 1856 he went to Texas, and found plenty of material to experiment upon. When he returned to Ohio, he began to give public exhibitions, and from that time was almost continuously before the public. About five years ago he went to Europe, and surprised every one by his complete mastery of the most incorrigible horses. In England particularly, the most vicious beasts that could be found were brought to him, and in no instance did he fail to get at least temporary control over his subjects. One of the greatest triumphs of his skill was manifested in the taming of the racing-colt Cruiser, which was so vicious that he had killed one or two grooms, and was of necessity kept under control by a heavy iron muzzle. Under



Mr. Rarey's treatment he became perfectly gentle and submissive, and was brought by him to America. In 1863 Mr. R. was employed by the Government to inspect and report on the horses of the Potomac Army.

Oct. 9.—BALDWIN, Rev. SAMUEL DAVIES, D. D., a Southern Methodist clergyman, died at Nashville, Tenn., aged 48 years. He was the author of several volumes, among which was "Armageddon."

Oct. 10.—BRAINERD, Dr. DANIEL, a distinguished surgeon and medical professor in Rush Medical College, Chicago, died in that city of cholera. He had long occupied a prominent position in his profession, and was especially skilful as a surgeon. He had recently returned from a long absence in Europe.

Oct. 13.—IHRIE, Colonel C. J., formerly State Librarian of New Jersey, died at Trenton. He was at one time State Senator from Warren County.

Oct. 14.—CLARK, Captain JOHN, an editor and officer of volunteers, died at Chicago, aged 40 years. He commenced his career as an apprentice in a printing establishment, and soon mastering the art, became a reporter for the "Boston Courier," until 1856, when it was published under his supervision. Upon the outbreak of the war he resigned, and in September, 1861, was appointed commissary of subsistence in the U. S. Vols., with the rank of captain; served through the winter at Hatteras, and subsequently was attached to General Butler's staff. In New Orleans he published the "Delta," and at Norfolk the "New Régime" and "Post."

Oct. 16.—COOK, Hon. CHARLES, a prominent and philanthropic citizen of Havana, N. Y.; died at Auburn, aged 65 years. He served as Canal Commissioner from 1847 to 1851, and was State Senator from 1862 to 1864, in both of which offices he was eminently faithful and useful. He was an active and influential politician of the Whig and Republican school, and was ever true to the principles of freedom and justice. Besides superintending his extensive business, he edited a weekly journal.

Oct. 17.—FOWLER, —, ex-Mayor of Marysville, California, died in that city. He was a native of Windham County, Conn., and went to California in 1850. He served in the Assembly, and was elected mayor three times, and was also justice of the peace.

Oct. 19.—BARROW, Gen. WASHINGTON, former minister resident at Lisbon, died in St. Louis, aged 59 years. He was a native of Tennessee, was educated as a lawyer, and had filled many important positions. For some years he was editor of the Nashville "Republican Banner," which he conducted in a vigorous style, and was classed among the leaders of the old Whig party. In 1841 he was appointed minister to Lisbon, and from 1847 to 1849 was a Representative in Congress from Tennessee. In 1861 he was elected State Senator, and subsequently was appointed one of the commissioners to

form an alliance with the authorities of the Confederate Government. After the fall of Fort Donelson, and the occupation of Nashville by the Federal authorities, General Barrow was arrested and confined in prison, but finally was permitted to go South, where he remained until the rebel surrender, when he returned home with enfeebled health, from which he never fully recovered.

Oct. 20.—TRAVIS, Rev. ROBERT, an Episcopal clergyman of Jersey City, died there of consumption. He was an able polemic, and a preacher of great eloquence. He was for some years assistant minister of St. Andrew's Church and Trinity Chapel, New York.

Oct. 22.—BARRY, Col. STANDISH, Assistant United States Treasurer, died at Newport, N. Y., aged 70 years.

Oct. 22.—BEECHER, Rev. JOHN SYDNEY, an American Baptist missionary to the Karens of Bassein, Burmah, died in Plymouth, England, aged 46 years. He was a native of Hinesburg, Vt.; was educated for the ministry, and offering his services to the Baptist Missionary Union, received an appointment to Burmah, and sailed for Arracan, in July, 1846. After laboring successfully for a period of ten years, he withdrew from his connection with the union, some misunderstanding concerning a change of location having occurred between himself and the executive committee; and subsequently offered his services to the Free Mission Society, was accepted, and since that period has devoted his whole energies to the work of educating and preparing young men for the ministry. His health failing, he left for this country, but died in England, *en route* for home.

Oct. 28.—ANSORGE, Prof. CHARLES, an accomplished teacher of music, and editor of the "Massachusetts Teacher," died in Chicago, Ill., aged 49 years. He was a native of Spiller, a town in the province of Silesia, was thoroughly educated in the science of music, and graduated with high honor in the Collegiate Institution at Breslau. Subsequently he spent some years in teaching and editing a public journal. In common with many of the literary men of Prussia, he entertained, and, as a true patriot, boldly defended political views which, as they favored the liberties of the people, proved offensive to the Government. In consequence of having written certain articles in support of his liberal sentiments, he was summoned before the courts, was tried, and sentenced to three years' imprisonment, and loss of citizenship. During the three days allowed between the announcement of the sentence and the beginning of its execution, Mr. Ansorge, bidding farewell to fatherland, October 13, 1849, speedily made his way to England. His wife having there joined him, they sailed for America. Making his home in Boston, he accepted a situation as organist and chorister in a church at Dorchester, which he retained for thirteen years, and was four years teacher of music in the Asylum for the Blind at South Boston. While devotedly at-



tached to his professional duties, he lost none of his interest in the cause of public education. At the meetings of the State Teachers' Association he frequently participated in the debates, and his views and opinions were always received with respect and attention. For several years he was one of the resident editors of the "Massachusetts Teacher," and his enthusiasm and fidelity received the unqualified approval of its friends. Having visited Chicago in the summer of 1863, to attend the annual meeting of the National Teachers' Association, he was so impressed with the advantages presented by that growing city to competent teachers of music, that he resolved to avail himself of the opportunities offered, and accordingly removed his residence thither, and had already entered upon a successful career, when overtaken by death.

*Oct. 30.*—COLBY, CHARLES G., a magazine writer and editor, died in New York, aged 37 years. He was a native of Rochester, N. Y.; graduated at the Wesleyan University, Middletown, Conn., in 1848, and soon after commenced teaching and delivering lectures upon astronomy, a favorite science. In 1850 he was engaged with Prof. Bond, of the Cambridge Observatory. While here he was employed in calculating the eclipses for 1851, the results of which were published with appropriate diagrams in "Harper's Magazine" for July of that year. He also wrote an article on "Telescopes" for the "New York Independent," which at the time attracted considerable attention among scientific men. In the latter part of 1851 he removed to New York, where he was employed, first in the office of the "American Railroad Journal," and soon after as assistant to Dr. R. S. Fisher, who was then engaged in the preparation of his "Statistical Gazetteer of the United States," which was published by J. H. Colton early in 1853. The "American Statistical Annual," published in the same year, was the joint production of Dr. Fisher and Mr. Colby. Subsequently he entered the office of "Hunt's Merchants' Magazine" as assistant editor, and there remained, until on the death of Mr. Hunt, the property was transferred to other hands. His next employment was in writing the description and statistical letter-press for "Morse's Geography of the World," "Morse's Diamond Atlas" (in 2 volumes), and several smaller works. He also wrote a number of articles on the City and State of New York for the "Encyclopædia Britannica," and several for "the New American Cyclopædia." In 1861 he removed to Boston, where he was engaged on the "Boston Commercial Bulletin." Ill-health finally compelled him to seek a change of climate, and he returned to New York in 1864, since which he has employed himself in many useful labors.

*Oct. 31.*—COBB, REV. SYLVANUS, D. D., a Universalist clergyman and author, died in Boston, aged 68 years. He was a native of Turner, Me., prepared himself for his profession,

and in 1828 assumed the pastoral charge of the Universalist Church in Malden, Mass., where he remained ten years, and then entered into the publication of the "Christian Freeman," of which he was editor more than twenty years. His literary labors comprised a large octavo "Commentary on the New Testament," "The Compend of Divinity," "Discussions," and a large number of works of less importance. He was for many years a leader in the antislavery and temperance movements.

*Oct.* —LACEY, REV. WILLIAM B., D. D., an Episcopal clergyman, instructor, and author, died at Okalona, Miss., aged 85 years. He was ordained deacon by Bishop Hobart, in 1813, and became a missionary in Chenango County, N. Y., until 1818, when he was elected rector of St. Peter's Church, Albany, then the most prominent parish outside of New York City. His ministry here continued upward of twenty years, and was crowned with great success. Subsequently he combined literary avocations with his ministerial duties. He was a trustee of Union College, a professor in the University of Pennsylvania, the president of a college near Pittsburg at a place now known as Laceyville, and filled other similar positions till in his old age he settled in the more agreeable climate of Louisiana. His text-books for schools and colleges were deservedly popular in their day, particularly his Rhetoric and Moral Philosophy. During the last ten years he has employed his leisure hours in revising a "History of the English Church, prior to the Time of the Monk Augustin," an epic on education, some of his choicest sermons, and other manuscripts, which he designed for publication.

*Oct.* —TRIPP, CHARLES N., a mineralogist and explorer, died in New Orleans, La. He was a native of Schenectady, N. Y., whence he removed to Canada, and through his taste for mineralogy spent much time in exploring the country, and became deeply interested in searching for oil-springs, making large purchases of lands, some of which, through the failure of his expectations, were finally forfeited. Subsequently he turned his attention to Louisiana and Texas, and spent some time in examining the mineral resources of that region. After the war he returned to Canada, and found a portion of his claims valid, and disposing of them returned South, and at the time of his death was engaged in organizing companies to develop on a gigantic scale some of the hitherto unknown mineral fields which he had discovered among the oil, copper, lead, and zinc regions of Louisiana and Texas.

*Nov. 1.*—VICKERS, SERGEANT THOMAS, U. S. A., Ordnance Department, died at Washington, D. C., aged 79 years. He was a native of Shardlow, England, enlisted in the Coldstream Guards, September 19, 1806, and participated with his regiment in the engagements before Copenhagen, at Brugis, Fuentes-de-Onore, Salamanca, Vittoria, and Waterloo, the storming of Ciudad Rodrigo, and the sieges of Burgos, St.



Sebastian, and Bayonne. In 1831 he enlisted in the United States Army, and served in the First Artillery during the Florida War, and, as "Corporal Vickers," was commended in the official report for gallantry in the affair of Fort Drane, June, 1836. In this same year he joined by enlistment the Ordnance Department, at Washington Arsenal, where he served continuously up to the day of his death faithfully in the discharge of his duties, and was always conspicuous for his soldier-like bearing and deference to his superiors. He received his appointment of sergeant of ordnance, September 8, 1862.

*Nov. 3.*—COYLE, Col. WILLIAM H., U. S. Vols., and Judge Advocate of the State of Kentucky, died in Paris, France, aged 25 years. His death was the result of a severe wound received in the battle of Pea Ridge, and of subsequent exposure while in service with Gen. Grant's army down the Mississippi.

*Nov. 3.*—GENTRY, Hon. MEREDITH P., died in Louisville, Ky. He was a native of North Carolina, studied law, and settled in the practice of his profession in Tennessee. He was a Representative in Congress from that State, from 1839 to 1843, from 1845 to 1847, and from 1847 to 1853. Since retiring from Congress, he has mingled but little in public affairs.

*Nov. 5.*—BURR, WILLIAM, publishing agent, and one of the editors of the "Morning Star," of Dover, N. H., died in Boston.

*Nov. 5.*—GILLETTE, Rev. TIMOTHY P., a Congregational clergyman, of Connecticut, died at Branford, Conn., aged 86 years. He had been for fifty-eight years pastor of the Congregational Church in that town, and was a zealous and able preacher.

*Nov. 6.*—WHITTLESEY, Hon. WILLIAM A., died in Brooklyn, L. I., aged 71 years. He was a native of Connecticut, graduated at Yale College, studied law, and settled in practice in Ohio. He was a Representative in Congress from that State, from 1849 to 1851.

*Nov. 10.*—EWEN, Mrs. MARY TAYLOR, formerly a favorite and popular actress of New York City, died there, aged 39 years. She was a native of New York, and at sixteen years of age made her first public appearance at the old Chatham Theatre. After a successful engagement, she entered the Olympic Theatre, and in each won great favor. Her special *forte* was light comedy, and among her greatest successes were "Life in New York," "Child of the Regiment," and "The Pride of the Market." About the year 1851 she was married to Mr. Ogilvie Ewen, and immediately retired from the stage.

*Nov. 11.*—BEALE, Major ROBERT, formerly sergeant-at-arms U. S. Senate, died at Washington, D. C. He was for some time warden of the jail for the District of Columbia.

*Nov. 11.*—WILLSON, Hon. HIRAM V., Judge of the U. S. District Court for Northern Ohio, died at Cleveland, of consumption. He had occupied the bench of that court for many years, and was well known for his action in the

case of the "Oberlin Rescuers," in 1859, after the passage of the "Fugitive-Slave Law." Upon the conviction of Simeon Burbuell, the first one of the thirty-seven who had been indicted, Judge Willson refused to allow a new jury to be impanelled to try the subsequent cases, and when Judge Spaulding—now member of Congress from the Cleveland district—the counsel for the prisoners, declared that if that refusal were persisted in no defence would be offered by one of the accused, the court ordered them into the custody of the marshal, and when found guilty, sentenced them to a fine of \$1,000 each, with six months' imprisonment.

*Nov. 12.*—FREEMAN, Col. WILLIAM G., U. S. Army, died at Cornwall, Penn., aged 47 years. Having received an appointment as cadet at the early age of fifteen, he was graduated at nineteen with an honorable position in his class, receiving a commission in the artillery, and throughout his academic career having shown great intelligence and zeal in the performance of his duties. After joining his regiment, he served with great efficiency through the Florida War, as major of a regiment of Creek volunteers, and was brevetted "for gallantry on several occasions, and uniform good conduct in the war against the Florida Indians." Colonel Freeman subsequently was on duty at the Military Academy as assistant instructor of infantry and artillery tactics, and was transferred from this duty to that of assistant adjutant-general, with the rank of captain in the staff, but still holding his regimental commission. He remained on this duty until March 31, 1856, when he resigned, having received the successive staff grades of brevet major and brevet lieutenant-colonel "for meritorious conduct, particularly in the performance of his duty in the prosecution of the war with Mexico." In all of these positions, Col. Freeman won, as he had merited, the entire confidence of Lieut.-Gen. Scott and Gen. R. Jones, the adjutant-general, his immediate military superiors, by his untiring application to the duties of his office, his unflinching advocacy of the rights of all officers, and his opposition to meretricious claims. Having retired from the service, owing to physical disability, Col. Freeman was unable to take any active military position during the rebellion.

*Nov. 14.*—LEWIS, Major WILLIAM B., formerly Auditor of the Treasury under Gen. Jackson, died near Nashville, Tenn., aged 82 years. He was quartermaster under Gen. Jackson in 1812, and served through the Creek campaign with great zeal and ability. It was doubtless his influence more than that of any other man which contributed to the elevation of the general to the presidency. Major Lewis accompanied him to Washington, assisted in preparing the inaugural address, and became one of the President's family. He was thoroughly conversant with all the purposes of the administration, assisted in establishing "The Globe" in 1830, and prepared accounts of the feud between Jackson and Calhoun, and the removal of the



deposits, giving "inside views" of those interesting events. Of late years Major Lewis has lived in close retirement.

*Nov. 15.*—CARPENTER, DANIEL, Senior Inspector of Metropolitan Police, died suddenly in New York, aged 51 years. In 1847 he joined the old police, and was appointed captain and assigned to the Fifth Ward, which soon became noted, under his management, for order and quiet. In 1857, upon the appointment of a new board of police commissioners, Captain C. was made Deputy Superintendent, and it was mainly owing to his exertions that the force was so soon organized, and has since attained its present high state of efficiency. When the office of Deputy Superintendent was abolished, Captain C. was made Senior Inspector, and held this position until the time of his death. At the time of the riots, July, 1863, his energy and firmness contributed largely to their suppression. His labors, during the last few months of his life, were unusually severe, and were continued up to the day of his death.

*Nov. 15.*—WHITE, Colonel CALVERT C., Provost-Marshal General of the Department of Arkansas, died of typhoid fever at Evenston, Ill., aged 36 years. He was born in Cazenovia, New York, in the year 1830. His family removed to Waukesha, Wisconsin, when he was quite young. When the war began he was practising law in Waukesha, and was the District-Attorney for that circuit. He entered the military service as captain in the Twenty-eighth Wisconsin Infantry in December, 1862, and served the entire period of enlistment—three years—rising to the rank of lieutenant-colonel. During the last year of his service he held the position of Provost-Marshal General of the Department of Arkansas, on the staff of Major-General J. J. Reynolds. He participated in Steele's campaign to Southern Arkansas, which was only saved from being disastrous, from the failure of Banks' Red River expedition, by the hard fighting of Steele's command. His abilities as a lawyer were of a high order, and his brilliant social qualities and nobility of character endeared him to all with whom he came in contact.

*Nov. 16.*—PORTER, JOHN F., agent in New York city of the Michigan Southern Railroad, died in Brooklyn, N. Y., aged 61 years. He was originally from Albany, a man of fine education and irreproachable character. He resided many years at Niles, Michigan, and was Regent of the University of Michigan, and Commissioner of Internal Improvements under Gov. Felch. He went to California in 1852, but returned, after a time, to New York, and became the agent of the railway, and continued in that position till his death. He was a man of the most genial and affable manners, and benevolent almost to excess.

*Nov. 16.*—ROUSSILON, Very Rev. ETIENNE, Vicar-General of the Roman Catholic Church of the State of Louisiana, died at St. Vincent's Hospital, New York, aged 66 years. He was a

native of Leon, France. While upon his passage from Havre to New York, in ascending to the deck of the vessel, he slipped, and falling backward down the companion-way, received injuries which a few days after proved fatal.

*Nov. 17.*—WHELOCK, MERRILL G., an artist in water-colors, architect, and writer on art topics, died in Chelsea, Mass. He was a man of fine intellectual attainments and great energy of character. Among his latest sketches may be mentioned a review of Church's "Heart of the Andes," published in the "Christian Examiner" of March, 1866. During the war he entered the army as a private from motives of pure patriotism, and served with patient faithfulness during the term for which his regiment enlisted.

*Nov. 19.*—WALKER, Capt. WM. M., U. S. Navy, died in New York, aged 53 years. He graduated at the Naval School at Norfolk, with honor, and was passed midshipman, June, 1833. After service in the Mediterranean and in the waters of the West Indies, he was appointed, in 1838, to take part in the famous "Exploring Expedition" of Captain Wilkes in the Antarctic Ocean, during which voyage he evinced a rare combination of courage, fortitude, and skill. In the year 1851 Captain Walker was directed by the Navy Department, in recognition of his scientific attainments, to visit France and England, with a view to the collection of information on steam in its special applications to purposes of naval architecture and equipment. The fruits of his study and observations under this head were subsequently published in an able monograph, which attracted much attention from members of his profession. At the outbreak of the civil war Capt. Walker was detailed from the navy to perform a confidential duty in Europe, under the direction of the State Department, and on subsequently returning to the United States, was placed in command of the steamer *De Soto*, composing a part of the Gulf Blockading Squadron. His patience and vigilance during this irksome period of care and wearing apprehension was the result of a thorough patriotism and devotion to duty, and it cost no little self-sacrifice to one who so longed for the more active duties of the service. During the thirty-nine years of his official life, more than sixteen were spent in arduous sea service and more than ten in "shore duty," leaving a comparatively small portion of his time unemployed in the immediate engagements of his profession. At the date of his death he was inspector of light-houses in the Third District of New York.

*Nov. 22.*—BREWSTER, JAMES, an eminent manufacturer and philanthropist of New Haven, died in that city, aged 79 years. He was a man of singular purity of character, energetic in business, and thoroughly devoted to the interests not only of the city and State, but to those of humanity at large. He erected the large public hall, in New Haven, bearing his name, and a number of tenement houses in a section of the



city now called Brewsterville; established the Franklin Institute and furnished it with philosophical instruments, a scientific apparatus, and a free library, paying for a series of lectures to mechanics, also free to all. But his most prominent acts of benevolence were as a pioneer in almshouse reforms; founder of the Asylum for Orphans in New Haven, and as the most earnest promoter of the building of the Hartford and New Haven Railroad.

*Nov. 24.*—FORREST, Lieut. MONROE, U. S. Navy, died at St. Croix, W. I., of yellow fever. He was a native of Baltimore, and one of the most daring and zealous young officers in the navy, bore a conspicuous part in the operations before Charleston, participated in the assault on Fort Sumter, and was on board the ill-fated iron-clad Keokuk when sunk by the enemy's shot in Charleston harbor. He died on board the U. S. steamer Florida while lying in quarantine.

*Nov. 26.*—BREVOORT, Captain ABRAM N., U. S. Marine Corps, died in Brooklyn, N. Y. He entered the service in March, 1820, and was placed upon the retired list in November, 1861. He leaves behind him an honorable record of faithfulness and devotion.

*Nov. 26.*—THOMAS, JOHN, an eminent printer of New York, died at Rahway, N. J., aged 62 years. He removed from Utica, to New York, when a boy, and engaged in learning the printing trade. Subsequently he opened an office in Nassau Street, continuing the business for many years, and was the first to use the steam cylinder in the city. For a long period he printed the "Courier and Enquirer" and "The Sun."

*Nov. 28.*—AULD, J. BLAKELEY, an editor and author, died in New York aged 51 years. He was a native of that city, and graduated at Columbia College in the class of 1835, having excelled as a classical scholar and exhibited mathematical talent of a high order. From 1835 to 1838 Mr. Auld studied law in the office of General Sandford, and went to New Orleans in 1840 to practise at the bar of that city. He was subsequently Professor of Belles-Lettres and Mathematics at the college of the Rev. Dr. Hawkes in New Orleans. A few years after he took editorial charge of "The Wall Street Journal," after which he became connected with "The Daily News," on which he was employed as one of its editors for several years. While on "The Daily News" he aided the well-known lawyer, Mr. George Griffin, in making translations from the Fathers of the early Church for his work on the "Sufferings of Christ." During the mayoralty of Mr. Tiemann, Mr. Wood, and Mr. Gunther, Mr. Auld occupied the position of secretary. At the time of his decease he was first assistant-clerk under the present incumbent, Mayor Hoffman. In this post he was most efficient, courteous, and untiring in the performance of his duties.

*Nov. 28.*—FRY, Hon. JACOB, Auditor-General

of Pennsylvania, died at Norristown. He was a native of Pennsylvania, and was a Representative in Congress from that State from 1835 to 1839.

*Nov. 30.*—SERVOSS, THOMAS L., an aged and eminent citizen of New York, died there. He was a native of Philadelphia, and during a residence of some years in Natchez and New Orleans acquired a large fortune. In 1827 he removed to New York and established the "Louisiana Line" of five ships between New York and New Orleans. He was for many years a trustee of the old Chambers Street Bank for Savings, and a manager of the American Bible Society, Public School Society, and other organizations.

*Nov. —.*—BRONSON, Rev. ASA, D. D., a Baptist clergyman of some note, died at Fall River, Mass. He was a preacher of great eloquence, and for nearly forty years was pastor of a church in that town.

*Nov. —.*—HALE, Mrs. SARAH PRESTON, widow of the Hon. Nathan Hale, of Boston, and sister of the late Hon. Edward Everett, died at Brookline, Mass., aged 70 years. She was a lady of extraordinary mental and social powers.

*Nov. —.*—ROWLANDS, Rev. WILLIAM, D. D., a Welsh clergyman and editor, died in Pennsylvania. He was the author of a volume of expositions on the parable of the Prodigal Son, and was for thirty years editor of a Welsh magazine, the first published in that language in the United States.

*Dec. 3.*—PERKINS, Judge —, an eminent and philanthropic citizen of Mississippi, died at the Oaks, near Columbus, aged 86 years. He gave \$60,000 to the Theological Seminary at Columbia, S. C., of which \$40,000 was to endow a professorship of natural sciences in connection with revealed religion. He also gave largely to other objects, making the amount of his gifts for a few years past reach the sum of \$80,000.

*Dec. 6.*—HAWES, Miss CHARLOTTE P., a well-known authoress, died at Worcester, Mass.

*Dec. 10.*—MINOT, CHARLES, a distinguished railroad officer and engineer, died at Somerville, Mass., aged 54 years. He was a native of Haverhill, Mass., and son of Judge Minot. After graduating at Harvard College in the class of 1828, at the early age of sixteen years, he studied law and practised at the Suffolk bar. In 1841 he was appointed Superintendent of the Boston and Maine Railroad, but left within a year for the Erie Railway, with which he remained until 1854, when he left, and subsequently became attached to the Michigan Southern Railroad. In 1859 he returned to the Erie Railway as Superintendent, which position he resigned about two years ago. Since that time Mr. Minot has held the position of consulting engineer of the company. He was one of the best-known railroad men in the country, and nearly every railway throughout the West has officers or employés who began railroad life under Mr. Minot's instructions.



*Dec. 12.*—PASCHALL, NATHANIEL, an editor of St. Louis, died in that city, aged 64 years. He entered the printing-office of the "Missouri Republican" in 1814, and had been connected with that paper for fifty-two years.

*Dec. 14.*—CHAUNCEY, REV. PETER S., D. D., an Episcopal clergyman, Rector of St. James's Church, New York, died in that city aged 56 years.

*Dec. 16.*—HOLLIDAY, REV. WILLIAM A., a Presbyterian clergyman and professor, died at Indianapolis, aged 64 years. He was a native of Kentucky, but removed to Indiana in his youth. He was educated at Hamilton Academy, Hamilton, Ohio, and at Princeton Theological Seminary. He was for a long time pastor of the First Presbyterian Church, Indianapolis, and subsequently a home missionary. From 1863 to 1866 he was professor of the Latin language and literature in Hanover College, Ind. He commenced the study of German at sixty years of age.

*Dec. 16.*—HOYT, REV. JAMES, a Presbyterian clergyman, and a poet of some merit, died at Orange, N. J. The earlier part of his life was devoted to teaching. He was a man of extensive scholarship, and had been for eleven years pastor of the First Presbyterian Church at Orange.

*Dec. 16.*—VETHAKE, HENRY, LL. D., Professor in the Polytechnic College, Pennsylvania, and an able author, died in Philadelphia, aged 75 years. He was born and educated in Europe. Soon after coming to the United States, he was chosen Professor of Mathematics in Princeton College, N. J., and afterward in Dickinson College, Pa. For many years he was provost of the University of Pennsylvania. He was the author of a valuable work on political economy, published in 1838, and was editor of the supplementary volume of the "Encyclopædia Americana."

*Dec. 21.*—BROWN, Capt. FREDERICK H., Eighteenth U. S. Infantry, was killed at Fort Philip Kearny. He was a native of New York, and was appointed an officer from the ranks of the Army. He enlisted in the Eighteenth Infantry in July, 1861, was at once made quartermaster-sergeant of the first battalion Eighteenth Infantry, and on the 30th October, 1861, appointed second lieutenant in the Eighteenth Infantry; March 24, 1862, he was promoted to a first lieutenancy, and May 31, 1866, to a captaincy. He was appointed regimental quartermaster November 4, 1861, and stationed at headquarters of the regiment, at Camp Thomas, Columbus, Ohio, until November, 1863, during which time, in addition to his regular duties, he assisted in the organization of several companies which he afterward commanded. He was ordered to the field in November, 1863, and joined the second battalion of the Eighteenth Infantry the following month. From that time until February, 1864, he was in charge of the National Cemetery, then in progress at Chattanooga, Tenn. During the war he parti-

cipated in several important actions as company commander; was at Buzzards' Roost, Tunnel Hill, Resaca, New Hope Church, and Kenesaw Mountain; and as detachment quartermaster at Peach-Tree Creek, the siege of Atlanta, and near Utoy Creek. Lieut. Brown was ordered to regimental headquarters at Camp Thomas, Ohio, May 20, 1865, where he performed the duties of regimental quartermaster from June 1, 1865, until shortly before the time of his death. From September 15 until October 26, 1865, he was on regimental recruiting service. In November, 1865, he went with the regimental headquarters to Fort Kearny, Nebraska Territory. In April, 1866, he was appointed chief quartermaster of the Mountain District, Department of the Platte, and accompanied the headquarters of that district and of his regiment to Fort Philip Kearny, Dakota Territory, near which place he is reported to have been killed by Indians. Lieut. Brown was brevetted captain after the war, for great gallantry and good conduct during the Atlanta campaign.

*Dec. 21.*—FETTERMAN, Brevet Lieutenant-Colonel WM. J., U. S. A., was a victim of the massacre at Fort Philip Kearny, Dakota Ter. He was a native of Connecticut; entered the service May 14, 1861, as first lieutenant, Eighteenth U. S. Infantry, and in October following was promoted to a captaincy. Upon the reorganization of the Army his battalion became the Twenty-seventh U. S. Infantry, and with it he participated in many of the most important actions of the war. He was at the siege of Corinth, Miss.; battle of Stone River, Tenn.; Resaca, Ga.; New Hope Church, Ga.; Kenesaw Mountain, Ga.; Smyrna Church, Peach-Tree Creek, siege of Atlanta, and at the battle of Jonesboro'; was also active in several minor engagements. In July, 1864, he was detailed as acting assistant adjutant-general of the regular brigade, serving in the Fourteenth Corps, remaining on that duty until June, 1865, when he was again ordered on regimental, and later on general recruiting service, and stationed for a time at Camp Thomas, Columbus, Ohio, and subsequently at Cleveland, Ohio. The captain was relieved from general recruiting service in September, 1866, and ordered to join his company at Fort Philip Kearny, Dakota Territory, near which place he is reported to have been killed by Indians on the 21st of December, 1866, a short time after his arrival at that post. Captain Fetterman was at the end of the war brevetted major for great gallantry and good conduct at the battle of Stone River, Tenn., and lieutenant-colonel for great gallantry and good conduct displayed during the Atlanta campaign.

*Dec. 21.*—GRUMMOND, Lieut. GEORGE W., Eighteenth U. S. Infantry, was killed at Fort Philip Kearny. When the war broke out he went to the field as sergeant in the old First Infantry (three months troops), and when that regiment was reorganized he was commissioned



a captain. During the campaign on the Peninsula he contracted a severe illness, and on the 14th of July, 1862, resigned at Harrison's Landing. Upon the organization of the Fourteenth Infantry Capt. Grummond had recovered from his indisposition, and was appointed major of that regiment, his commission dating March 2, 1863. On the 25th of the same month he was promoted lieutenant-colonel; and when Col. Mizner was ordered to his regiment in the regular Army, he took command of the organization. He led the regiment in several severe and bloody conflicts, especially at Bentonville, where the Fourteenth particularly distinguished itself. At this place the regiment leaped out of its works and made a gallant charge against superior numbers, capturing one general officer, the colors of the Fortieth North Carolina Infantry, and numerous prisoners, besides killing and wounding many rebels. When the Fourteenth returned home, Col. Grummond was appointed to a lieutenancy in the Eighteenth U. S. Infantry, and was slain by the Indians with his comrades.

*Dec. 22.*—FORREST, FRENCH, an admiral in the Confederate navy, and formerly an officer of the U. S. Navy, died at Georgetown, D. C., of typhoid fever, in the 71st year of his age. He fought bravely in the war of 1812; he was in the naval engagement under Commodore Perry; also fought valiantly in the Mexican war; he was appointed at that time adjutant-general of the land and naval forces, and the responsible duty devolved upon him of having the forces transported into the interior of Mexico. When Virginia seceded he joined the fortunes of the Southern Confederacy, and was given the position of commander-in-chief of the naval forces of Virginia, and commanded at the Norfolk Navy-yard, and was afterward appointed to the command of the James River squadron and then Acting-Assistant Secretary of the Navy. A kind and affectionate husband and father, and a true and sincere friend, beloved and respected by all who knew him.

*Dec. 24.*—WILSON, Lieut. HENRY, U. S. Army, died at Austin, Texas, aged 20 years. He was an only son of Senator Wilson, of Massachusetts, and entered the army at seventeen years of age. His first appointment was as first lieutenant in the Thirty-first U. S. Colored Troops, which he was awarded after an examination before General Casey's board. After serving for a time in the Army of the Potomac, he was promoted to a captaincy, and shortly afterward was sent to South Carolina, where he was appointed lieutenant-colonel of the One Hundred and Fourth U. S. Colored Troops. In that capacity, and for some time in command of his regiment and of the post of Beaufort, S. C., he served until the disbandment of his regiment at the close of the war, when he was mustered out, his services being no longer required. He had, however, acquired a decided taste for military life, and again entered the service in April, 1866, as a lieutenant in the Sixth U. S. Cavalry,

which regiment he joined with a detachment of recruits, in Texas, and remained there until his death. Lieut. Wilson was a young man of more than average ability, of an affectionate disposition, and a kindly heart; devotedly attached to the profession he had chosen, there was every probability that, had he lived, he would have proved a valuable officer. He died after a few hours' illness, of hemorrhage of the stomach and bowels.

*Dec. 27.*—PECK, Hon. LUCIUS B., died at Lowell, Mass. He was a native of Waterbury, Vermont, was two years at the Military Academy at West Point, studied law in the office of the late Hon. Samuel Prentiss at Montpelier, and was admitted to the bar in 1824. He was a member of the General Assembly of Vermont, and from 1847 to 1851 a Representative in Congress from the Fourth Congressional District. From 1853 to 1855 he was United States District-Attorney for Vermont. For the last few years he has been President of the Vermont and Canada Railroad.

*Dec. 27.*—SAWYER, Col. ROSWELL M., acting assistant adjutant-general on the staff of Lieut.-General Sherman, died at St. Louis, Mo., aged 31 years. He was a native of Brooklyn, N. Y., and went through a partial course of instruction at Columbia College, after which he commenced the study of the law in the office of Mr. Myers, ex-Attorney-General of New York. After completing his legal studies, he removed to Fond du Lac, in Wisconsin, and was in the enjoyment of a good practice when the war broke out. On the first summons of the President for troops, he joined the First Wisconsin regiment (Colonel Starkweather) as a private, and served for six months. On a reorganization of the regiment for three years, he raised a company, but accepted a commission as second lieutenant in deference to friends whom he wished to see placed in superior rank. Soon after this he was made assistant adjutant-general to General Hamilton, and retained that position until the General resigned. He was subsequently appointed on the staff of Lieut.-General Sherman, with whom he served during the campaign in Georgia. At the time of his death he held the appointment of captain in the Twenty-fifth U. S. Infantry, having been recently mustered out of his volunteer rank.

*Dec. 28.*—POMEROY, BENJAMIN, a prominent New York merchant, died at Christianstadt, near Santa Cruz. He sailed from New York in October for the benefit of his health. Mr. Pomeroy was a prominent member of the Republican party in Connecticut, and was, for several years, a member of the State Senate. He was also a member of the Chamber of Commerce of New York city.

*Dec. 29.*—SCRANTON, Hon. ERASTUS C., President of the New York and New Haven Railroad, was killed by being run over by the cars at South Norwalk, Conn., aged 55 years. He was formerly Mayor of New Haven, and was President of the Elm City National Bank, as



well as of the railroad company, at the time of his death. He was a native of Madison, Conn., and had commenced life as a sailor-boy, and had, in after-years, become a large ship-owner. He was, in all the relations of life, a man of rare excellence, and his loss was one of the severest which could have been inflicted upon the city of which he was, perhaps, the most eminent citizen.

*Dec. 31.*—PERKINS, Dr. J. M., an eminent surgeon and analytical chemist of Chicago, died in that city, aged 56 years. He was a native of Canada. At a comparatively early age, having determined to adopt the practice of medicine as a profession, he left this continent for Europe, where, for several years, he studied in the best English hospitals, and finally graduated with high honors. Returning to Canada, Dr. Perkins practised medicine for a short time, and then removed to the State of Vermont, where his skill and ability rapidly gained for him a most enviable reputation. Some six or seven years ago he removed to Chicago, where he subsequently practised with considerable success. As a scientific man, Dr. Perkins stood very high in the ranks of his profession. He was a skilful anatomist, combining an excellent physiological knowledge, with a cool, determined mind, a quick eye, and steady hand. In this branch of his calling, few surgeons excelled him. His reading had been deep and extensive. He was a good analytical chemist, and thoroughly versed in the beauties of inorganic and the intricacies of organic chemistry. In botany, natural history, and theoretical mechanics he also evinced an acquaintance and familiarity which could only have been obtained by close study, and a deep scientific love.

*Dec. —.*—ALBRO, Rev. Dr. —, a Congregational clergyman and author, died at Cambridge, Mass., aged about 67 years. He was, for nearly thirty years, pastor of the Shepard Congregational Church in Cambridge, and was greatly beloved by his people. He was the author of a series of question-books for Sabbath-schools, and also of some other works.

*Dec. —.*—SEMPLE, Gen. JAMES, formerly a Senator in Congress, and Judge of the Supreme Court of Illinois, died at "Elsah Landing," Ill., aged 67 years. He was a native of Kentucky, was admitted to the bar, and first began the practice of law in Louisville. After the death of his wife, who was a sister of Gen. Duff Green, about 1827, he removed to Illinois, and established himself in the practice of his profession at Edwardsville, in Madison County. He was soon after elected and reelected to the Legislature, and was Speaker of the House for several sessions. He was afterward Attorney-General of the State and a General of the State militia. He was appointed minister to Bogota by President Van Buren, where he remained four years. Returning home at the close of Mr. Van Buren's administration, he was chosen by the Legislature a Judge of the Supreme Court in 1842, on the resignation of Judge

Breese, who had been elected to the United States Senate; and on the death of Judge McRoberts, in March, 1843, then a Senator in Congress, he was appointed by Gov. Ford to fill the vacancy, and afterward elected for the unexpired term by the Legislature. After the expiration of his term in March, 1847, when he was succeeded by the late Stephen A. Douglas, he lived in retirement at "Elsah Landing," on the Mississippi.

OBITUARIES, EUROPEAN. The following death occurred in 1865, but owing to the remote place of the decease, intelligence of the event did not reach this country till after the ANNUAL CYCLOPEDIA for 1865 had gone to press. Its notice is too important to be omitted.

*Dec. 7.*—RAMESR, PHRA PAWARENDR, the second King of Siam, died at Singapore, from a chronic malady which had affected him for five years. He was a man of remarkable intelligence, and education, writing English very fairly, and was conversant with many English and American treatises on mechanical and physical science. An autograph letter, written by him some years ago, to the late Colonel Samuel Colt, indicated not only a considerable familiarity with English, but an acquaintance with the principles on which Colt's pistol was constructed.

*Jan. 1, 1866.*—DESMICHEL, M., Professor and President of the College of Hyères, and author of several valuable text books, died at Hyères, Provence, France, aged 73 years. He was a graduate of the Normal School, and author of an important work entitled "History of the Middle Ages."

*Jan. 2.*—NEWTON, Mrs. ANN MARY, an artist of great merit, died in London, aged 33 years. She was a daughter of Joseph Severn, the English painter, and early evinced a talent for drawing, receiving at the age of seventeen years, commissions from the royal family. She particularly excelled in copying from the old masters. Among her best works were "Sebaste," a mystical Christ-child, and "Elaine." When an exhibition was held for the benefit of the Lancashire poor, Mrs. Newton sent three water-color pictures which readily sold for £300, a sum which she contributed for the relief fund. In 1861, she was married to Mr. Charles T. Newton, superintendent of Greek and Roman Antiquities at the British Museum, and subsequently executed on a large scale, a number of drawings from the finest antique sculptures and vase paintings of the Museum, as illustrations of her husband's lectures. These have been pronounced by critical judges as unsurpassed in truthfulness and beauty.

*Jan. 3.*—PARCHAPPE, CHARLES JEAN BAPTISTE, a French general and legislator, grand officer of the Legion of Honor, died in Paris, aged 79 years. He greatly distinguished himself in the Napoleonic wars, was twice in command in Africa, and was Director of the War Department from 1848 to 1851. He was also a member of the Corps Législatif from 1852 to 1866.



*Jan. 6.*—PONCHARD, JEAN FREDERICK AUGUSTE, an eminent French musician, died at Paris, aged 76 years. He was a pupil at the Conservatoire at Paris, and as early as 1810, obtained the first prize in singing, and the second in lyric tragedy and comedy. While yet in his youth, he became a favorite with the public, but retired from the theatre in 1834, devoted himself to teaching, and was appointed a professor at the Conservatoire.

*Jan. 9.*—MONTAGNE, JEAN FRANÇOIS CAMILLE, a French physician and surgeon, member of the Institute of France, and an eminent botanist, died in Paris, aged 82 years. He was a native of Vandoy, and son of a surgeon, who trained him for the medical profession, and, to obtain a livelihood in those tempestuous years of revolution, he took service as military surgeon and went to Egypt with the memorable expedition. He returned to France in 1802, and pursued his medical studies and served alternately in the army and navy. He became, in 1815, the chief surgeon of the army of the King of Naples (Joachim Murat). The Restoration dismissed him to obscurity, but after the Revolution of July, 1830, he was made chief surgeon of the Sedan military hospital, and retired on a full pension in 1832. He then devoted himself to botany with a zeal which appears extraordinary, when it is considered that he was already forty-eight years of age. He was one of the first French botanists who used the microscope in that science, and several important discoveries are due to him. His researches into the cryptogames are valued, and he has left a number of works in Latin and French on questions of natural history. In 1858, he received the cross of an officer of the Legion of Honor.

*Jan. 9.*—ZAMOYSKI, Count, a distinguished Polish nobleman and exile, died in London, aged 67 years. He was the head of his family, and proprietor of the large entailed estate of Zamose, and nobly exerted himself to ameliorate the condition of the peasantry on his vast estates. The state of Poland, and the grief he felt in consequence, had induced him for many years to live in complete retirement in England, and doubtless hastened his death.

*Jan. 11.*—BROOKE, GUSTAVUS VAUGHAN, an eminent tragedian, was lost on the steamship London, on his way to Australia, aged 48 years. He was a native of Dublin, and was educated for the Irish bar, but, having a decided taste for the stage, made his first appearance at the Theatre Royal in his native city, in 1833. His performances proving successful, he subsequently entered into engagements at Limerick, Londonderry, Glasgow, and Edinburgh, and his fame reaching London, he was engaged to appear at the Victoria Theatre, where he gave twelve performances of *Virginius*. In 1850 he sailed for New York, where he appeared with great success in the character of *Othello*. In 1852, he became manager of the Astor Place Opera House, but losing money in the undertaking, returned to Europe, and after a successful tour,

revisited this country and extended his journey to California and Australia.

*Jan. 11.*—PALMER, GEORGE HARRY, an English author and editor, was lost on the steamship London; aged 35 years. He graduated with high honors at the University of Glasgow, in 1856; studied law in London, and was licensed as a barrister, by the society of Gray's Inn, June, 1861. His ability and learning attracting attention, he was appointed secretary of the Law Amendment Society, which position he occupied until its amalgamation with the Social Science Association. He was also editor of the "Law Magazine and Review." His health failing, he was advised by his physicians to take a voyage to Melbourne, and was lost as above stated.

*Jan. 11.*—WELLESLEY, Rev. HENRY, D.D., Principal of New-Inn Hall, Oxford, and an eminent classical scholar, died at Oxford, aged 74 years. He was a natural son of the late Marquis Wellesley (elder brother of the first Duke of Wellington), was educated at Christ Church, Oxford, and was appointed in 1838, to the rectory of Woodmancote, in the patronage of the Lord Chancellor. In 1847, he received the appointment of principal of New Inn Hall, and occupied the post of select preacher to the University. Dr. Wellesley was an accomplished scholar, well read in both ancient and modern literature, and well known in connection with the fine arts and continental languages. He was the author of selections in the Latin, Italian, and English languages, under the title of "Anthologia Polyglotte," also of several valuable papers appearing in the volumes of the Sussex Archæological Society, of which he had been a member from its formation. At the time of his death he was a curator of the Bodleian Library, and also of the University Galleries and of the Taylor Institution.

*Jan. 11.*—WOOLLEY, Rt. Rev. JOHN, D.D., D.C.L., Bishop of Sydney, Australia, was lost on the steamship London, aged 50 years. He was educated at University College, London, and at Exeter College, Oxford, from which he graduated in 1836. He became successively Head Master of Rossall school, Lancashire, and of King Edward's Grammar School, Norwich. This last office he relinquished in 1852, on obtaining the appointment of professor in the University of Sydney. His later life was mostly passed in Australia.

*Jan. 15.*—ANERSWALD, Herr RUDOLPH von, head of the late liberal ministry at Berlin, died in that city. He was the son of an East Prussian nobleman, and matriculated at Königsberg University, where he intended to study for the law, but on the outbreak of the war with the French, he volunteered with the Black Hussars of Prussia, and, after an honorable service, retired in 1820, married, and settled on the estates of his wife near Dantzic. He was soon elected Landrath by the proprietors of his neighborhood, and subsequently entered the provincial department of Eastern Prussia. In



consequence of the stormy events which supervened in March, 1848, he became successively Governor of Eastern Prussia, Minister of Foreign Affairs, and a member of the central Germanic Parliament at Frankfort.

*Jan. 19.*—CLARKE, MISS HARRIETTE LUDLOW, a wood engraver, designer, and painter on glass, died at Cannes, France. She was the daughter of Edward Clarke, solicitor, of London. Among her earliest engravings was a large cut of the "Penny Magazine," in 1838. She progressed rapidly in this art, and subsequently turned her attention to the study of designing and painting on glass, in which she became very successful. In 1852 she commenced the execution of church windows, and exhibited so much genius in that department of art, that her orders followed each other in rapid succession. Her last work was a window, containing eight lights in a row of six figures at the top, in the cathedral at Canterbury, the subject being the life and death of Thomas à Becket.

*Jan. 19.*—MAITLAND, REV. SAMUEL ROFFEY, D. D., F. R. S., F. S. A., an eminent scholar and theological writer, died at Lambeth Palace, London, aged 75 years. He graduated at Trinity College, Cambridge, in 1816, studied law, and was called to the bar of the Inner Temple, but leaving his legal studies, was ordained priest in 1821, and appointed first incumbent of Christ Church, Gloucester. Soon after, he began to be conspicuous as an author, and resigned his charge in 1830 to devote himself more exclusively to his pen. In 1838 he removed to London and became librarian of Lambeth Palace, until 1849, when he retired to Gloucester to spend the rest of his days. He was the author of several works on the prophecies, and eight volumes of essays on various theological works. He was also for some years editor of the "British Magazine."

*Jan. 21.*—ODDONE, Prince, third son of Victor Emmanuel, died at Genoa, aged 19 years.

*Jan. 23.*—PEACOCK, THOMAS LOVE, an English poet and novelist, died at Lower Halliford, Eng., aged 80 years. He was a native of Weymouth, and was educated at a school at Englefield Green. In 1810 he published a classical poem called "The Genius of the Thames," also another entitled "The Philosophy of Melancholy." Among his novels are "Headlong Hall," 1816; "Melincourt," "Nightmare Abbey," "The Misfortunes of Elphin," "Crochet Castle," and "Grall Grange." Beside these works, Mr. Peacock was a large contributor to periodical literature, although from 1818 to 1856, he had held the position of examiner of Indian correspondence in the service of the Hon. East India Company. In March, 1856, he retired from the service and spent the remainder of his life among his books.

*Jan.* —.—BRÉHAT, ALFRED G. de, a distinguished French novelist, died in Paris. He was the author of "Jean Belin;" or, "Adventures of a little French Boy."

*Jan.* —.—DARGAUD, J. M., a French author

of much note, died in Paris, aged 65 years. He was private secretary to Lamartine, and author of historical works, books of travel, criticism, and fiction.

*Feb. 3.*—FOUCHER, VICTOR, an eminent French lawyer, grand officer of the Legion of Honor, and counsellor to the Court of Cassation, died at Paris, aged 63 years. He was called to the bar in 1823, and was soon after named Deputy Procurator-Royal at Alençon. After successive advancements in more important courts, he was appointed in 1846 Director-General of the Civil Affairs of Algeria, and the following year Counsellor of the Cour Royale of Paris. In 1850 he was appointed to the same office in the Court of Cassation; was chosen member of the Municipal Council of Paris, member of the Consulting Commission of Algeria, and of the Council of the Legion of Honor, in which order he was subsequently raised to the rank of Grand Officer.

*Feb. 11.*—COOPER, Commodore READ, of the Liberian navy, died near St. Paul's River, Liberia, aged 64 years. He removed to Liberia from Norfolk, Va., in 1829, and commanded the gunboat Quail, when she was attacked at her anchorage near Monrovia by a Spanish war steamer, a few years since. In company with his sons, Commodore Cooper owned a large sugar farm on the St. Paul's River, giving employment to quite a number of people.

*Feb. 19.*—ADDISON, CHARLES GREENSTREET, an eminent English lawyer, legal writer, and author, died in South Kensington, aged 29 years. He was called to the bar of the Inner Temple in 1842, and the same year was admitted a barrister on the Home Circuit. Subsequently he was appointed revising barrister for East and West Kent, and was also crown counsel for the Mint prosecutions at the West Kent sessions. He was the author of a work on "Contracts," and a treatise on "Wrongs and their Remedies."

*Feb. 20.*—SPOTTISWOODE, ANDREW, an English publisher, formerly M. P. for Saltash, and Colchester, died in London, aged 71 years. He was educated at the High School, Edinburgh, and was at one time Sheriff of the city of London. He was head of the famous house of Eyre and Spottiswoode, Queen's printers.

*Feb. 20.*—THOMPSON, JOHN, a distinguished wood-engraver, died at Kensington, Eng., aged 81 years. As early as 1817 his name was attached to works of considerable merit; and many years ago he, together with his brother, was much employed by French publishers, when scarcely a wood-engraver existed in France. Mr. T. engraved the whole of the engravings for Mulready's "Vicar of Wakefield."

*Feb. 21.*—WOOD, REV. SIR JOHN PAGE, Baronet, former chaplain and private secretary to Queen Caroline, died at Bethus, near Romford, aged 69 years. He was a native of Woodbridge, and was educated at Trinity College, Cambridge, where he took his degree of LL. B., in 1821. Previous to this, however, he had en-



tered into holy orders, and in 1820 was appointed chaplain to Queen Caroline. After this he was chaplain to the Duke of Sussex; rector of St. Peter's, Cornhill, in 1824; and vicar of Cressing, Essex, in 1832. In 1843 he succeeded to the baronetcy. He took an active part in the business of the county, and was for twenty-five years chairman of the Braintree Board of Guardians, and twenty-two chairman of the Witham bench. Sir John troubled himself little concerning the differences between religious parties, but was well known as a man of unaffected piety, and earnestly strove to forward the moral and temporal elevation of the people.

*Feb. 22.*—DONOUGHMORE, Rt. Hon. RICHARD HELY HUTCHINSON, fourth Earl of, died in Knocklofty, Tipperary, Ireland, aged 52 years. He was educated at Harrow, and was a Deputy-Lieutenant for the county of Tipperary, and a magistrate for that of Waterford. In early life he held a commission in the army and served in the campaign of China, and in 1849 was appointed Lieutenant-Colonel-Commandant of the militia. In 1851 he succeeded to the family honors, and from that period devoted himself to public life. Under the Derby Administration in 1848, he was appointed Vice-President of the Board of Trade, and President of that body, in 1859. He was possessed of rare business powers, and few speakers in the House of Lords could equal the facility with which he handled the nicer points of law.

*Feb. 23.*—HAVILLAND, Lieutenant-Colonel, THOMAS FIOTH, formerly an eminent military and civil engineer of the East India Company, died at De Beauvoir, Guernsey, aged 90 years. He was a native of Havilland, entered the service of the East India Company as a Madras cadet, in 1791, and having become a distinguished engineer, was employed in the construction of important military works at Seringapatam and elsewhere. In 1814 he was appointed superintending engineer and architect of the Madras Presidency, and in this position constructed numerous civil works of great magnitude and utility, the chief of which were the Madras bulwark and pier completed in 1822. Upon the death of his father in 1823, he left the service with the rank of Lieutenant-Colonel, and devoted the rest of his life to the public service of his native island, of which he was one of the justices and legislators.

*Feb. 23.*—SYKES, GODFREY, an English decorative artist of great distinction, died at Old Brompton, aged 41 years. He was educated in the Sheffield School of Art, where he was subsequently teacher and master, and about 1861, removed to London to undertake the decoration of the arcades in the Royal Horticultural Gardens. Besides being a sculptor and a modeller, he was a skilful painter, and was perhaps the first artist who has ventured to take the mere structural forms of ribs and bolts of ironwork and to make them decorative on their own surfaces. His last work, and perhaps his

greatest achievement, was the production of a series of columns for the new lecture theatre of South Kensington, which in size and style are worthy of being placed in the hospital at Milan.

*Feb. 25.*—LEE, JOHN, LL. D., F. R. S., etc., an eminent English physicist, President of the Royal Astronomical Society, born in London, April 28, 1783; died at Hartwell House, near Aylesbury. He was the eldest son of John Fiott, a merchant of London, and was educated at St. John's College, Cambridge, where he graduated in 1806, and in 1816 took his degree of LL. D. He was Fellow and Travelling Bachelor of his College, in which capacity he journeyed extensively in the East and on the Continent, where he succeeded in amassing a valuable collection of antiquities. In 1815 he assumed the name of Lee by royal license, in compliance with the will of his maternal uncle, William Lee, devisee of Sir George Lee, Bart., and in 1827 came into possession of the whole family property. In 1864 he was made a Queen's Counsel, by Lord Chancellor Westbury. Dr. Lee was one of the oldest magistrates of Bucks, having been appointed on the commission of peace in 1819, and his name stood first on the list of high sheriffs for 1867. He was Lord of the Manors of Hartwell, and patron of two livings. In politics he was a Liberal, and was several times an unsuccessful candidate for the representation of Bucks. In 1863 he still wore in public a blue coat with brass buttons, and a yellow waistcoat. Dr. Lee was a Fellow of the Royal Society, and was also a Fellow and for two years the President of the Royal Astronomical Society. He was also a member of the Geological, Geographical, British Meteorological, British Archæological, the Syro-Egyptian, the Asiatic, the Chronological, the Numismatic and other learned societies. Among his services to science not the least is the erection at Hartwell of one of the best private observatories in the kingdom, where for many years competent astronomical observers have been engaged at his expense. Though his public labors in behalf of science have been so great, his only published scientific work is his inaugural address as President of the Royal Astronomical Society. He was a man of great benevolence of character, was strongly opposed to the use of tobacco in any form, a teetotaller from principle, and a strong advocate for female suffrage.

*Feb. —.*—HALACZ, —, a veteran of the Seven Years' War, died at Stände, Upper Silesia, aged 120 years. He served 38 years in the Prussian army and took an active part in several campaigns of the present century.

*Feb. —.*—RUCKERT, FRIEDRICH, a German poet and Orientalist, died at Neuss, aged 77 years. He was a native of Bavaria; was educated at the University of Jena, and after a brief editorship, was, in 1826, appointed professor of Oriental languages at Erlangen. In 1840 he was induced by Frederick William IV. of Prussia to remove to Berlin, where he



held a professorship at the university until 1849, when he retired to private life. He was the author of several volumes of lyrical poems, also some dramas, and a "Life of Jesus."

*March 13.*—MASSEY, Mrs. ROSINA JANE, wife of Gerald Massey, the poet, died near Hemel Hempstead, aged 34 years. She was a native of Bolton, Lancashire, and at an early age manifested singular trance-like tendencies and abnormal powers of vision. It is considered doubtful whether a more remarkable seer or clairvoyant has existed since the days of Emanuel Swedenborg.

*March 16.*—JUSUF, Gen., Commander of the military division of Montpellier, France, died at Cannes, aged 60 years. He was a native of Algeria; entered service as a private in an Arab cavalry regiment, and obtained his promotions, followed by his naturalization, for distinguished services, and for his devotion to France. He was the author of several works on the affairs of the colony.

*March 21.*—COOPER, CHARLES HENRY, an English antiquarian scholar and author, died at Cambridge, aged 58 years. He was a native of Great Marlow, Bucks; was educated at Reading, and by his fondness for books, early laid the foundation of his extensive stock of antiquarian and historical learning. In 1826 he settled in Cambridge and applied himself with diligence to the study of law, and in 1840 was admitted as solicitor. Having an intimate acquaintance with the law and decided talent as an orator, he gained a high reputation and an extensive practice. In 1851 he was elected a Fellow of the Society of Antiquaries. He was a voluminous writer, and among the productions of his pen may be mentioned four volumes of the "Annals of Cambridge," arranged chronologically, and containing an account of all matters relating to the university and town, down to the close of 1849; "Athenæ Cantabrigienses," memoirs of the worthies educated at Cambridge (3 vols.); and the "Memorials of Cambridge" (3 vols.), 1858-1866. During the latter years of his life most of his leisure was devoted to the collection of particulars illustrative of the lives of all the eminent natives of Great Britain and Ireland from the earliest period to the present day, and his research in that direction involved an immense amount of patient labor.

*March 21.*—WARES, MARGARET, an aged servant in Thurso, a province of New Brunswick, died there, aged 105 years. She was a native of Stroma, and when a girl went to serve a farmer, continuing with him and his descendants for five generations. She retained all her faculties to the last, and was known as a woman of deep piety, latterly passing a great portion of her time in prayer.

*March 23.*—EDWARDES, Hon. RICHARD, an English diplomatist, died in London, aged 59 years. He entered the diplomatic service in 1826; served a long clerkship, and in 1838 was appointed an attaché to the embassy at St.

Petersburg; in 1841 was called to the same post at Berlin; returned to St. Petersburg the same year, and in 1847 was transferred to Paris, where he twice discharged the duties of *Chargé d'Affaires*. In 1851 he was appointed Secretary of Legation at Frankfort, and in 1859 at Madrid, where he remained till the end of 1863. The following year he was Consul-general at Caracas, and was subsequently appointed Minister Plenipotentiary to the Argentine Republic.

*March 23.*—TOSTI, Cardinal ANTONY, senior cardinal priest, under the title of St. Pietro in Montorio, died at San Michele, Rome, aged 89 years. He was a native of Rome, and was known as the "learned and venerable" Director of the combined school and hospital of San Michele, and as Librarian of the Holy Church.

*March 24.*—HESSE HOMBURG, FERDINAND HENRI FRIEDRICH, Landgrave of, died at Homburg, aged 38 years. He was a general of cavalry in the service of Austria, and succeeded to the family estates in 1848. Having left no direct heirs his territory reverts to the Grand Ducal House of Hesse-Darmstadt; the heir to the principality being Prince Louis of Hesse, husband of the Princess Alice.

*March 25.*—THORNTON, THOMAS, an editor and author, died in London, aged 79 years. In 1825 he entered the service of the "London Times," and for many years was engaged in reporting the proceedings of the ecclesiastical and maritime courts; his accuracy and sound judgment obtaining the frequent approbation of the Bench and the Bar. During a period of forty years' connection with this journal, he published a valuable series of law reports, which, under the title of "Notes of Cases," are still habitually quoted as an authority. For some twenty years he had prepared the summary of the debates in the House of Commons for the "Times," which for condensation, accuracy, and comprehensive grasp, could rarely be equalled. His mind retained its vigor until the last. Mr. Thornton brought out an edition of Otway's plays, and was at one time a contributor to the "Edinburgh Review." He was particularly versed in Indian affairs, and edited the papers of one of the most eminent statesmen connected with the East India Company.

*March 28.*—LANGLAIS, M., a French financier and statesman, Finance Minister of the Mexican Empire; born at Mamers, in the Department of the South, about 1808; died in Mexico. He was educated for the Church; had taken minor orders, and for some time was a professor in the ecclesiastical seminary in his native town. The revolution of 1830 opened a new career for him. He went to Paris to study law; was called to the bar in 1837, and soon gained considerable reputation as an advocate. In 1848 he was chosen as one of the representatives for the department of the Sarthe, in the Constituent Assembly, and again to the Legislative Assembly. After the *coup d'état* he was elected to the latter for his native town of Mamers, but resigned in 1857, and accepted the



post of Councillor of State, a post for which he was eminently fitted. When Maximilian asked the Emperor of the French to send him a competent person to introduce order into the finances of the empire, M. Langlais was at once selected for undertaking that laborious and difficult task. His engagement was for about three years, and in less than half that time he had completed his work of reorganization, but was taken ill with the fatal fever of the Mexican capital, and died before the measures he had recommended could be fully carried into effect.

*April 1.*—HILLIER, GEORGE, an English antiquarian, historian, and author, died at Ryde, Isle of Wight, aged 50 years. He was a native of Kennington, and was educated at Place Street House Academy near Ryde. In 1852 he published "A Narrative of the attempted Escape of Charles the First from Carisbrook Castle." He was also the author of treatises on, or guide-books to, Carisbrook and Arundel Castles. The discovery of the Anglo-Saxon cemetery upon Chessell Down, in the Isle of Wight, and the excavation of the graves, was one of his most valuable contributions to archæology. Mr. Hillier had been for some time employed in the preparation of an important work, the "History and Antiquities of the Isle of Wight," engraving the plates with his own hand, and having the printing done in his own house, but his death occurred before its completion.

*April 5.*—GRIFFIN, Right Rev. HENRY, D. D., Lord Bishop of Limerick, an eminent prelate and scholar, died at Dublin, Ireland, aged 80 years. He was a native of Wexford, entered Trinity College at twelve years of age, and after a distinguished career obtained a fellowship in 1811. In that capacity he was for some time tutor, but in 1829 resigned to accept the valuable college living of Clonfeacle, in the archdiocese of Armagh. In 1854, upon urgent solicitation, he accepted the bishopric of Limerick, Ardfert, and Aghadoc, the duties of which he discharged with inflexible integrity up to the period of his last illness. He was distinguished for his profound knowledge, and with Dr. Sandes, the late Bishop of Waterford, was regarded as the head of the Liberal party in the university. Dr. Griffin took an active part in the agitation for emancipation, and on all occasions distinguished himself by his enlightened, generous, and comprehensive opinions.

*April 5.*—HODGKIN, THOMAS, LL. D., an eminent English philanthropist and scholar, born in 1799; died at Jaffa, near Jerusalem. His whole life had been devoted to the service of his fellow-creatures of all races. He was one of the founders of the Aborigines Protection and Ethnological Societies; the honorary Secretary of the Geographical Society; a member of the Senate of the University of London, and intimately connected with many other scientific bodies. A few months previous to his death he accompanied Sir Moses Montefiore to Morocco, and induced the Sultan to make large

concessions to his Jewish subjects, and at the time of his decease was abroad upon another philanthropic mission. Dr. Hodgkin was attached to the Society of Friends.

*April 7.*—BABINGTON, BENJAMIN GUY, M. D., F. R. S., etc., an eminent English physician and medical writer, died in London, aged 72 years. He was educated at the Charterhouse, and after passing through Haileybury, entered the Madras medical service in 1812, but retired from it in 1819, and studied at the University of Cambridge, where he graduated M. D. in 1830. The following year he was elected fellow of the Royal College of Physicians. He was attached to Guy's Hospital, to the Deaf and Dumb Asylum, Margate Infirmary, German Hospital, City of London Hospital for Diseases of the Chest, and to the English and Scottish Law and Clergy Mutual Assurance Company. Dr. Babington was known as the author of a "Cyclopædia of Anatomy and Physiology," and of various papers in the Medico-Chirurgical Society's Transactions, as editor of a "Medical Psychology," and as translator of "The Epideemics of the Middle Ages."

*April 12.*—MOLTKE, ADAM WILHELM VON, Count, a Danish statesman, died in Livonia, aged 81 years. His family came originally from Mecklenburg. He was Minister of State in Denmark from the death of Christian VIII. to 1848, minister for Holstein in 1851, and for Schleswig from 1852 to 1854, when he withdrew from public life. He was last known as using his great wealth for the promotion of science and art.

*April 16.*—RYLAND, JONATHAN EDWARD, an eminent Hebrew, Greek, and German scholar, died at Waterloo, Northampton, aged 68 years. He was educated at the Baptist College at Bristol, of which his father, Dr. Ryland, was president. His translations from Neander testify to his critical acquaintance with the German language.

*April 16.*—SEYMOUR, EDWARD JAMES, M. D., F. R. S., a distinguished English physician, died in London, aged 70. He was a native of Brighton, and educated at Dr. Delafosse's school at Richmond, and Jesus College, Cambridge, when he proceeded to Edinburgh, where he graduated M. D. He became physician to the infirmary at Edinburgh, and having practised for some years at Florence, settled in London in 1824. He filled successively the posts of senior physician to the Council of St. George's Hospital, senior censor of the Royal College of Physicians, and was one of the Commissioners on Lunacy.

*April 19.*—REYNOLDS, Rev. JAMES, a clergyman of the Established Church, died in the Chapel Yard of St. Mary's Hospital, Great Ilford, aged 62 years. He was educated at St. Catherine's Hall, Cambridge, where he graduated in 1826, and the following year was appointed chaplain to St. Mary's Hospital. He was a fine scholar, and particularly delighted in the Oriental languages. For many years he



held the position of secretary to the Royal Asiatic Society.

*April 23.*—BAKEWELL, MRS. JOHN, a religious writer of considerable note, died at Fenton, England, aged 65 years. Her principal works are: "The Mother's Practical Guide," "The Sunday-Scholar at Home and at School," and "The Ten Commandments Explained."

*April 24.*—HUFFELD, DR. HERMANN, professor in the University of Halle, a celebrated Hebrew scholar; died at the university, aged 70 years. He was a native of Marburg, where he devoted himself to the study of philosophy and theology. In 1819 he became professor in the gymnasium at Hanau. Compelled by ill-health to resign this office in 1822, he went to Halle, and studied under Gesenius. In 1825 he was chosen extraordinary professor of theology at Marburg, and in 1830 ordinary professor of theology, in addition to the oriental languages. On the death of Gesenius he was called to be his successor in 1843. In his department he was among the first scholars of his day, and at the close of his arduous life his mental vigor showed no decline, his diligence no slackening. Among his principal works were "The Sources of Genesis," and a "Commentary on the Psalms," in four volumes.

*April 28.*—RIVERS, HON. GEORGE PITT, fourth Lord, an eminent agriculturist, died at Portman Square, London, aged 56 years. He succeeded his father in the title in 1831. From 1841 to 1846 he was a lord in waiting to her majesty, and was twice reappointed. He was a deputy-lieutenant for Dorset, and lieutenant-colonel-commandant of the Dorsetshire Yeomanry Cavalry; also chairman of the Somerset and Dorset Railway, and of the General Land Drainage and Improvement Company. A few years since he was president of the Bath and West of England Society.

*April 30.*—DIXON, Most Rev. JOSEPH D. D., Roman Catholic Primate of Ireland, and Archbishop of Armagh, died there. He was for some years a professor in Maynooth College, and in 1852, was appointed to the See of Armagh. Avoiding politics, he devoted himself exclusively to the duties of his office, and especially to the great work of completing the cathedral which had been commenced by his predecessor. He was greatly beloved by his people, and very much respected by Protestants of all denominations.

*April.*—MALITOURNE, M., a French author of high reputation, died at the Charenton Insane Asylum, aged 71 years. He was born at L'Aigle, Orne County, and was educated with great care by an uncle, who before the revolution, was a Benedictine monk. He gave early evidence of rare talents, but did not appear in public until 1820, when he wrote an essay on "Parliamentary and Forensic Eloquence." M. Malitourne wrote first in "La Quotidienne," then in "Le Constitutionnel," "La Charte de 1830," "Le Messager des Chambres," and in "Le Moniteur de Paris." He contributed frequently to "La

Revue de Paris," and with M. Leon Gozlan and M. Nestor Roqueplan wrote "Les Nouvelles à la Main," a small periodical which appeared in 1841, and which contained admirable sketches of the public men of that day. He was likewise a contributor to "Le Dictionnaire de la Conversation." When M. Ladvocat, the famous publisher, purchased, in 1826, the papers of Madame Ida St. Elme, he engaged Malitourne to put them into book form. He composed the famous "Mémoires d'une Contemporaine," which appeared in eight volumes between 1827-'28, and ran through two editions at once. This work is one of those many adroit compounds of fiction and truth which are to be found in French literature under the title of "Memoirs." Soon after the Revolution, his mind began to be unseated, though he still mixed in company and even wrote to some extent, but in 1854, or thereabouts, he was carried to the Insane Asylum. He retained his gentle character and graceful intellect even here, and to the last delighted in books and the conversation of well-informed people. He knew where he was, and why he was there, but made no complaint and indulged in no lamentations.

*May 8.*—WORSLEY, REV. PHILIP STANHOPE, an English poet, and translator of Homer, died at Freshwater Bay, Isle of Wight. He was a native of Kent, and was educated at the Cholmeley School, Highgate, and at Corpus Christi College, Oxford, where he displayed poetic talent of a high order. He obtained the Newdigate prize in 1857, for his "Temple of Janus." His health was for many years feeble, and his literary efforts were in consequence frequently interrupted by attacks of illness. It was during intervals of illness that he completed his translations of the Odyssey, and of the first twelve books of the Iliad, and indeed most of his other poems and translations published in 1863.

*May 13.*—COURTHOPE, WILLIAM, an English genealogist and heraldic author, died at Hastings, aged 57 years. He was a native of Rotherhithe, and in 1833 became clerk to the College of Arms; Somerset Herald in 1854, and Registrar of the College in 1859. In 1851, he was called to the bar at the Inner Temple, but never practised in the courts of law. He accompanied as secretary the several missions sent with the insignia of the garter to the respective sovereigns of Turkey, Portugal, Prussia, Denmark, Hesse-Darmstadt, and Belgium. Mr. Courthope's genealogical labors were characterized by the most patient research, and so far as they are given to the public, consist of three editions, of Debrett's "Peerage," one of Debrett's "Baronetage," an original work on the "Extinct Baronets," on the plan of the "Synopsis of the Peerage," and a revised edition of the latter, under the title of "The Historic Peers of England," 1857. He also accomplished much other literary labor in this direction, while his duties at the College of Arms were ever assiduous and laborious.

*May 15.*—HARVEY, WILLIAM HENRY, M. D.,



F. R. S., Professor of Botany in Trinity College, Dublin, died at Torquay, aged 55 years. He was a native of Limerick, and was self-educated. He published ten or twelve large works on "Descriptive Botany." He was keeper of the university herbarium.

*May 17.*—CRAIGIE, Dr. DAVID, F. R. C. P. E. and F. R. S. E., a Scotch physician, author and editor, died at his residence in Edinburgh, aged 72 years. He was a native of North Leith, and educated in the University of Edinburgh, where he distinguished himself as a classical scholar, and particularly for his fondness for Grecian literature. As a teacher of the principles and practice of physic and of chemical medicine, he was eminently successful. Although a highly accomplished physician, his time was never very extensively employed in the private practice of his profession, which may be mainly attributed to the long protracted period of his bodily infirmities. Perhaps his most useful labors were his contributions to the diffusion of more enlightened and correct views of the principles and practice of the healing art, through the "Encyclopædia Britannica," his works on "Pathology," and the "Practice of Physic," and the "Edinburgh Medical and Surgical Journal," of which publication he was for many years the editor and proprietor.

*May 18.*—ROBINSON, Rev. HENRY HASTINGS, D. D., rector of Great Warley, Hon. Canon of Rochester, and Rural Dean, died at Great Warley, Essex, aged 73 years. He was educated at Rugby, and St. John's College, Cambridge, where he was a fellow from 1816 to 1827, when he was presented to the rectory of Great Warley. Here he had resided for thirty years, faithfully discharging the duties of his office, following literary pursuits, and attending to the duties of his position as a magistrate. Dr. Robinson was the editor of the "Zurich Letters," and other classical and theological works.

*May 19.*—MILLS, JAMES, an English chemist and antiquary, died at Norwich, Eng. He was a well-known collector of antiquities, and his collection was always open to the inspection of the amateur with the utmost liberality. He was a valuable contributor to the "Archæological Society."

*May 24.*—CONDE, His Royal Highness, the Prince de, eldest son of the Duc d'Aumale, died at Sydney, N. S. W., aged 20 years.

*May 24.*—ETHERIDGE, Rev. Dr., an English Wesleyan minister and author, died in England. He was the biographer of Adam Clarke and Dr. Coke.

*May 26.*—BROFFERIO, M. ANGELO, an Italian statesman, poet, and historian, died at Florence, aged 63 years. He was born in the Province of Asti, between Turin and Alexandria, and was educated for the law, though he devoted himself mostly to literary pursuits. As a speaker in parliament, he was ardent and energetic; as a journalist, the tendency of his writings was to promote the cause of liberty and

the emancipation of his country, and as a poet, his patriotism gave him inspiration. He was the author of a "History of Piedmont," "My Times," and a popular battle song known as "Brofferio's Hymn." His greatest historical work was the "History of the Subalpine Parliament," which he unfortunately left unfinished. In 1848 he was the editor of the "Messaggiere Torinese." Though a radical democrat, he was not a Mazzinist, but a partisan of the House of Savoy, and one of his last wishes was that he could take an active part in the coming war.

*May 29.*—KAMAMALU, VICTORIA, Princess Royal and heir-apparent to the throne of the Sandwich Islands, died at Honolulu, S. I.

*May 30.*—BOWERS, Rev. JOHN, Governor of the Wesleyan Theological Institution, Didsbury, died at Riversdale, Southport, aged 69 years. He entered the ministry at the early age of seventeen years, and in a short time became one of the most popular ministers in his denomination. His sermons were the fruit of careful study and delivered in an earnest and impressive manner. In 1858 he was elected President of the Wesleyan Conference, the highest honor which the body can confer on any of its ministers.

*May 31.*—VERNON, Right Hon. GEORGE JOHN WARREN, fifth Lord, a liberal peer, and an elegant Italian and classical scholar, died at Sudbury Hall, Derbyshire, aged 63 years. He was educated at Eton and Christ Church, Oxford, and succeeded to his father's title in 1835. In 1837 he exchanged his patronymic of Venables-Vernon for that of Warren. He was M. P. for Derbyshire in 1831-'4; deputy-lieutenant, and captain-commandant of the 2d battalion of Derbyshire volunteers. Lord Vernon was a supporter and liberal contributor to all institutions of a benevolent character, and especially was interested in the Midland Institution for the Blind. He was also an accomplished linguist, and as an Italian scholar, attained the high distinction of being elected one of the twenty Corresponding Academicians of the Società della Crusca, at Florence. His chief interest, however, lay in the study of Dante, to which he largely contributed by works not unknown in the literary world.

*May —.*—BELCHER, JOHN, a soldier under Admiral Nelson at the battle of Trafalgar, died in Gloucestershire, aged 103 years.

*May —.*—DELL, JOHN, a prominent citizen of Tasmania, died there, aged 102 years. He was a native of Reading, and took up his residence in New South Wales, in 1788, having arrived with the 102d Foot in the ship *Surprise*. He was pensioned in 1815, and was appointed chief constable of Launceston, Tasmania, in 1818.

*May —.*—DESPORTES, M., a French translator, dramatist, and compiler, died in Paris, aged 68 years. He was a native of Aubenas, Ardeche county, and made his first appearance as an author by "Le Duel d'Young." He translated into French Virgil's *Bucolics* and



*Æneid*, Horace's Odes, and Perseus's Satires. In 1843 he brought out a comedy in verse, "Molière à Chambord." He also prepared with much assiduity several compilations which had great reputation in their day.

*May* —.—FLOCON, FERDINAND, a French publicist and novelist, died in Paris, aged 66 years. During the Restoration he wrote for the "Courrier Français;" published a pamphlet against the Jesuits; wrote criticisms on the exhibitions of Fine Arts, published a collection of German Ballads in French, and wrote a novel, "Ned Wilmore." After the Revolution of 1830 he wrote for "Le Constitutionnel," and subsequently for the "Tribune." In 1845 he founded "La Reforme," which was most hostile to the Government, and whose title became the rallying cry of the Revolution of 1848. When it occurred, this led to his appointment as a member of the Provisional Government. He quitted France after the *coup d'état*.

*May* —.—GUERNON, RANVILLE, Count de, former minister of Charles X., died at Calvados, in the Pyrenees, aged 80 years. After the Revolution of 1830 he was imprisoned in the fortress of Ham for seven years.

*May* —.—NUNEZ, Admiral, commander of the Spanish squadron in the Pacific, died of wounds received during the bombardment of Callao.

*June 1*.—KINNEAR, Mrs. BOYD, an English actress of high merit, died at Norwood, Surrey. Having been disinherited of her rights as heiress of the family estates because of refusing to be educated in the Roman Catholic religion, she found herself compelled to support herself and mother. This she undertook to do by teaching, but having a decided taste and genius for the drama was attracted to the stage. She made her *début* at Brighton in 1846, where she was received with great favor, and after some discouragements, became the leading lady at Birmingham, and afterward at the Theatre Royal, Edinburgh, until ill-health compelled her to leave the trying climate of Scotland. After spending one season at the Princess's Theatre, London, she retired, and in 1852 was married to John Boyd Kinnear, a magistrate in the county of Fife. During the few years of her public career she rose to the first rank in the highest department of her art, while in private life she was the charm of the circles in which she moved.

*June 8*.—BERWICK, WILLIAM, an historical painter, died near Darlington, aged 70 years. He descended from a family of artists and engravers, was educated at a local school kept by a Quaker, and early evinced a taste for the fine arts. With a small sum of his own earnings he went to London, and was received as a pupil of Haydon. Subsequently he studied anatomy in the Royal Academy, and among his earliest works was a commission from the German consul to execute a large cartoon of some of the figures in the Elgin marbles for the poet Goethe, a work subsequently presented to the

sovereign of Wurtemberg, and placed in the Royal Academy of Arts. He painted several life-sized portraits of eminent men, such as Lord Eldon, Sir David Brewster, Sir John Sinclair, Lord Jeffreys, and others. His "Jacob meeting Rachel," won great favor in London in 1822, and a copy of a Rembrandt sold for £4,000. His Scripture illustrations also were great favorites with the lovers of art.

*June 18*.—MÉRY, M. JOSEPH, a French novelist and poet; died at Paris, aged 67 years. He was born in Marseilles, where he was educated. His first essay in literature was a satire in verse, published in 1820, on a priest, against whom he had a private grievance, and which resulted in a prosecution for libel, and imprisonment for fifteen months. On his release he joined in editing a paper called the "Phocean," but soon after started another, the "Méditerranée," subsequently united and called the "Semaphore." Later he removed to Paris and was employed in the translation of Latin documents for the "History of the Popes." During the three days of the Revolution Méry fought on the barricades, and when the struggle was over, celebrated the victory in a poem called "L'Insurrection," and a hymn, "Le Tricolor," which was set to music by Halévy. In 1840 he visited England, and on his return to France published his "Les Nuits de Londres." One of his latest compilations in verse was a poem on the Italian war of 1859, "Napoléon en Italie." His talent for improvisation was remarkable, and on any given subject he would at once construct a romance in prose or verse.

*June 25*.—JACKSON, Dr. HENRY, F. R. C. S., an eminent English physician and medical writer, died in Sheffield, aged 60 years. He was a native of Sheffield; was educated at the Bingley Grammar School, and studied for his profession under the superintendence of his father, Dr. Henry Jackson, surgeon of Sheffield, and at Dublin, completing his studies at St. Bartholemew's Hospital, London. In 1830 he commenced practice in his native town, and two years later was elected honorary surgeon to the Sheffield General Infirmary, which position he held until his resignation a few days prior to his death. Dr. Jackson had acquired a profound knowledge of the works of eminent surgeons of all ages and countries, and no branch of literature was without interest for him. His favorite studies, aside from those connected with his profession, were history, biography, and the *belles lettres*. He was a cautious and skilful operator, and was held in high esteem by his medical brethren for his profound judgment in medical science as well as for the valuable traits of his character. He was for many years president of the Sheffield Medical School.

*June 26*.—GARRETT, RICHARD, an English manufacturer of agricultural implements, died in Suffolk, aged 59 years. In 1836 he succeeded to the business of his father at Leiston, which was already very heavy, but after the introduction of steam power was magnified, until the



name of Garrett has become known almost all over the world. When the East Suffolk Railway, now merged in the Great Eastern system, was brought forward, Mr. Garrett found capital to the amount of £10,000. He also contributed generously to the Albert Memorial College at Framlingham, and was a munificent patron of other notable enterprises.

*June 30.*—WILLSON, Rt. Rev. ROBERT WILLIAM, D. D., Roman Catholic Bishop of Hobart Town, Tasmania Colony, died at Nottingham, England, aged 71 years. He was born at Lincoln; educated at Oscott College; ordained priest in 1825, and settled as pastor over a Roman Catholic Church at Nottingham. He was consecrated bishop by Cardinal Wiseman in 1842, and left England for his see of Hobart Town in January, 1844, where his services as pastor, and as a public man in the development of various colonial and local institutions, were warmly acknowledged by successive governors, and by the community at large throughout Tasmania. He finally left the colony in shattered health in the spring of 1865, and spent the closing months of his life amid the scene of his earlier labors.

*June —.*—LEEDS, W. H., an English architectural writer and critic, died in England. He was best known as translator of "Möller's Memorials of German Gothic Architecture," and editor of a new edition of "Chambers's Decorative Part of Civil Architecture."

*June —.*—TEULET, M., a French antiquarian and author, died in Paris. He was Keeper of the Records of the Empire. The first volume of his "Trésor des Chartes" was published by order of the emperor, under the direction of the Count de Laborde; and the second volume was nearly ready for the press when he died. He received the medal of the institute for his publication of "Eginhard." He also published in five volumes octavo, "Les Relations de la France et de l'Ecosse."

*July 7.*—TOYNBEE, Dr. JOSEPH, F. R. S., an eminent aural surgeon and philanthropist; died in London, aged 50 years. He was one of the physicians of St. Mary's Hospital, and fell a victim to experiments upon himself in the inhalation of chloroform and hydrocyanic acid for the relief of singing in the ears. Two papers were found in his room, the first giving the result of experiments made a few days previous, and the second not classified, apparently awaiting the result of his further investigation.

*July 10.*—DENVIR, Right Rev. CORNELIUS, Roman Catholic Bishop of Down and Connor, died at Belfast, Ireland. He succeeded Dr. Crolly, when the latter became primate in 1835. Being a prelate of liberal tendency, he acted for some years as one of the Commissioners of National Education, and worked harmoniously with his colleagues, but was compelled by the authorities of his church to relinquish that position. He resigned his office as bishop in 1860. Dr. Denvir was a learned and able man, and was much respected in Belfast.

*July 12.*—CARPENTER, WILLIAM HOOKHAM,

F. S. A., superintendent of the collections of engravings in the British Museum, died there, aged 74 years. He was apprenticed to the publishing business, and on his marriage started in business for himself, but not succeeding, his wife, an artist of great merit, supported the family for some years by portrait painting. During this period Mr. Carpenter employed his leisure in studying the works of the great masters in the British Museum; and writing a descriptive catalogue of Vandyke's etchings, with notices of his life, and that of Rubens, from materials collected in the State Paper Office. In March, 1845, he was appointed to the British Museum, and has since acquired a European reputation for profound knowledge in regard to art matters. In the department of drawing, his acquisitions have been of the utmost importance, for through his influence many rare donations have been made to the museum. Indeed his unremitting industry and devotion to the interests of this department probably tended to hasten his death.

*July 14.*—HOWARD, FRANK, a painter and writer on art subjects, died at Liverpool, aged 61 years. He was educated at Ely, and early evinced a decided taste for the fine arts. His first artistic lessons were from his father, Henry Howard, professor of painting to the Royal Academy. He was also for some time a pupil and assistant of Sir Thomas Lawrence, upon whose death he set up as a portrait painter upon his own account, and soon won his way to much distinction in his art. He was a member of the Architectural and Archæological Society, and was well known as a lecturer. He was the author of a series of beautiful outline illustrations of Shakespeare, the "Sketcher's Manual," "Imitative Art," and "Science of Drawing." He also wrote the life of his father, edited his lectures at the academy, and executed the illustrations to "Walker on Beauty."

*July 16.*—SPENCER, Right Rev. GEORGE TREVOR, D. D., late Lord Bishop of Madras, died near Buxton, aged 66 years. He was educated at Charterhouse and at the University College, Oxford, where he graduated in 1822, and was made D. D. in 1837. He was incumbent of Buxton five years, and rector of Leaden-Roding, Essex, from 1829 to 1837, when he was consecrated Bishop of Madras, but returned to England in 1849 invalided, though able to discharge Episcopal functions to some extent, and to take a living twelve years later. The Bishop of London presented Bishop Spencer with the chancellorship of St. Paul's Cathedral, to which office he added, in 1861, the rectory of Walton-on-the-Wolds.

*July 23.*—DELF, THOMAS, an English bookseller, publisher, and author, died in London, in the 55th year of his age. He was a native of London, and came to the United States at the age of 20, obtaining employment soon after in the Mercantile Library of New York. Thence he entered the book-store of Messrs. Wiley & Putnam, and from 1843 to 1846, and again in



1847 or 1848 was the London agent of Appleton & Co. Afterward he was several years engaged in the American book trade in London, part of the time alone, and part of the time in partnership with Mr. Trübner. For the last 14 years he devoted himself to authorship, writing for periodicals, translating, compiling, and assisting better-known writers, conducting at various times "The Artist," "The Children's Journal," "The Photographic Art Journal," and "The Royal Cook," and publishing, under the *nom de plume* of Charles Martel, a translation of Chevreul's "Laws of Color."

July 24.—BATCHELDOR, THOMAS, F. S. A., an English antiquarian and scholar, died at the Cloister, Windsor Castle, aged 70 years. With the exception of a short course of instruction in the free school of his native town, he was in all respects a self-educated man. When a boy he entered the service of the chapter clerk and registrar of Eton, upon whose death in 1827 he was appointed registrar of Eton College, and in 1843 chapter clerk at Windsor, also steward of the Courts of Eton College. Subsequently he became a member of the Hon. Society of Gray's Inn, and practised as a conveyancer. His attainments in the walks of science, literature, and art, were great. His antiquarian investigations were extensive, as well as his astronomical observations, which he sometimes embodied in public lectures before the Windsor Mechanics' Institute. He was elected a fellow of the Society of Antiquaries in June, 1855.

July 27.—NICHOLSON, JOSEPH B., D. D., rural dean of St. Albans, antiquarian and author, died at St. Albans, aged 71 years. He graduated at Magdalen Hall, Oxford, in 1820, and in March, 1826, was domestic chaplain to H. R. H. the Duke of Clarence. In 1835 he was appointed to the rectory of St. Albans, and in 1846 was made rural dean, having in 1839 been made D. D. He was also appointed surrogate for the archdeaconry of St. Albans, and in 1862 was nominated an honorable canon of Rochester Cathedral. He was a fellow of the Society of Antiquaries, of the Royal Astronomical Society, and a member of the Numismatical Society; was vice-president of the Archæological and Architectural Society, and a magistrate for St. Albans and the County of Hertford. In 1851 Dr. Nicholson published the first edition of a work, entitled "The Abbey of St. Albans," and subsequently an enlarged edition, which was soon out of print, though another is in course of preparation.

July 27.—NORTHUMBERLAND, CHARLOTTE FLORENTIA, Duchess Dowager of, an authoress, and former governess of the Princess Victoria, died at Twickenham, aged 78 years. She was a native of Florence, daughter of the Earl of Powis, and in 1817 married the Duke of Northumberland, who died in 1847. She was a woman of fine and highly-cultivated intellect, and when the queen was Princess Victoria, held the responsible office of supervisor of those who gave instruction, the duchess being present when

the lessons were given. She was the author of a "History of Alnwick Castle," which includes also histories of Alnwick and Hulne Abbeys. The illustrations to this quarto volume were from the pencil of this gifted woman, who exhibited rare ability as an artist.

July 30.—HASTINGS, SIR CHARLES, M. D., D. C. L., an eminent English physician and author, died near Malvern, Eng., aged 72 years. He graduated at the University of Edinburgh in 1818, and since that time had practised his profession in Worcester. He was a deputy-lieutenant for his county, and was the President of the Provincial Medical and Surgical Association, of which institution he was the founder. His contributions to medical literature were large, and among his works may be mentioned a "Treatise on Inflammation of the Lungs," and "Illustrations of the Natural History of Worcestershire." Sir Charles was knighted in 1850.

July —.—MARS, VINCENT DE, a French author and editorial writer, died in Paris, aged 48 years. He was a man of delicate literary taste, great acquirements, and some talent for writing. He was for more than twenty-five years secretary of the "Revue des Deux Mondes," for which he wrote a great deal.

July —.—MARTIN, M. EDOUARD, a French dramatic writer, died in Paris aged 39 years. He was born in humble life, but by patience and industry rose to respectable rank as a dramatic author. His first appearance in print was in 1848, by writing one of the many sheets sold during revolutionary agitation. He wrote "Les Talismans du Diable," "L'Affaire de la Rue de Lourcine," "Les Petites Mains," "Les Vivacités du Capitaine Tie," "Le Voyage de M. Perriehon," and "Moi." He also wrote for several French journals. His death was the result of a disease of the brain, which deprived him of sight and memory.

July —.—MAYNARD, SAMUEL, an eminent mathematician and author, died at the Booksellers' Provident Retreat, Langley, aged 76 years. His shop, a dingy, unpretending place, was the resort of students and learned professors of the universities in search of rare mathematical works, while the owner was well known as an author, and his edition of Euclid, in conjunction with Prof. Simson, is one of the most popular text-books used. Mr. Maynard also edited "Bonycastle's Arithmetic, Algebra, and Mensuration," with "keys" to these and Bishop Colenso's "Arithmetic."

July —.—SURIWONGS, P'RAYA MOUTREC, Siamese Ambassador to the Court of St. James, died at Bangkok, aged 45 years. He was Prime Minister of Military Affairs in Northern Siam, and President of the Southern provinces thereof.

Aug. 6.—CAMDEN, Most Noble GEORGE CHARLES PRATT, second marquis and earl, president of the British Archæological Society, died at Bayham Abbey, Sussex, aged 66 years. He was a native of London, educated at Eton, and



Trinity College, Cambridge, where he took the degree of LL. D., in 1832. He sat in Parliament for Ludgershall, in the Tory interest, from 1820 to 1826; for Bath, from that date to 1830, and subsequently, for a short time, for Dunwich. Later in life he sided more with the Liberals. He was Lord of the Admiralty in 1828. In 1834 he was summoned to the House of Lords in his father's barony of Camden. He was a knight of the garter, Lord Lieutenant of Brecknockshire, and Deputy-Lieutenant for Kent. The late marquis was deeply interested in archæological pursuits.

*Aug. 6.*—HOHENZOLLEHN, Prince ANTON von, of the reigning family of Prussia, died at Könighof, Germany, of wounds received at the battle near Königratz. He was a brave and faithful officer.

*Aug. 20.*—GROVER, Rev. HENRY MONTAGUE, a religious, scientific, antiquarian, and dramatic author, died at his rectory in Maidenhead, aged 75 years. He was a native of Waterford, educated at St. Albans Grammar School, and graduated at Peterhouse College, Cambridge. He was appointed rector of Hitcham, Bucks, in 1833, but owing to ill-health, and his fondness for literary pursuits, devoted the last twenty years of his life to the study of the Scriptures, and biblical antiquities. He was the author of a "Voice from Stonehenge," "Soundings of Antiquity," "Analogy and Prophecy," "Journal of Sacred Literature," "Changes of the Poles and the Equator," "Theory of the Sun's Orbit," a paper on "Tides," and some political works.

*Aug. 22.*—ALCOCK, THOMAS, M. P., a wealthy philanthropist, died at Great Malvern, aged 65 years. He was a native of Putney, educated at Harrow, and was for a short time in the 1st Dragoon Guards. He entered Parliament in 1826, and sat for Newton, in Lancashire, and in 1828-'9, travelled in Russia, Persia, Turkey, and Greece, publishing an account of his journeyings in 1831. In 1847, he was again a member of the House of Commons, serving until 1865, when ill-health compelled him to retire from public life. He was a consistent Liberal, and a strong advocate of absolute freedom in religious and political opinion. He was also a man of large benevolence, and expended more than £40,000 in the erection of churches, schools, and parsonages in his native county and in Lincolnshire.

*Aug. 23.*—MICHELL, Gen. Sir JOHN, K.C.B., a distinguished British officer, died in London, aged 84 years. He was educated at the Royal Military College at Woolwich, and gained his commission as second lieutenant in the Royal Artillery in 1798. In 1813, he served under the Duke of Wellington in the Peninsula and south of France, and the following year embarked for America, and took part in the attack on Washington, Baltimore, New Orleans, etc. Subsequently he joined Wellington's army on the Continent, and was attached to the Prussian army in reducing the fortresses in the Nether-

lands. From 1831 to 1836, he was in command of the Royal Artillery in Canada, and afterward held the same post at Gibraltar. In 1856, he was made Col.-Commandant of the Fifth battalion, and in 1861 was nominated Knight Commander of the Order of the Bath.

*Aug. 29.*—KUBOSAMA, Tycoon of Japan, died at Yedo. Upon the announcement of his decease, special orders were issued by the Government of Japan by way of preventing any disturbances of the peace which might otherwise occur.

*Aug. —.*—MURAT, THEODORE, a French novelist, dramatist, and historian, died in Paris, aged 58 years. He was born in poverty, but was possessed of a large amount of industry and perseverance, which, with his natural taste for literary pursuits, won him a name among writers. He wrote plays, histories, and novels, and was, for many years, chief editor of a provincial paper, also dramatic critic of "La Gazette de France." He was the author of a "History of Paris," "History of Condé's Army," "History of the Western Wars," and the "Truth to Workmen, Peasants, and Soldiers," which had a sale of 600,000 copies. His last and best work was a "History of France, as indicated by the pieces played in the Parisian theatres."

*Sept. 3.*—FRANCILLON, JAMES, an English jurist and legal writer, died at Lausanne, Switzerland, aged 64 years. He was educated at King's School, Rochester; studied law, and was admitted to the bar of Gray's-inn in 1833. After several years of successful practice, he was, in 1847, appointed judge of the County Court, where he distinguished himself for the patient, laborious, and conscientious discharge of his duties, and for his impartial decisions. In 1860 he published a volume of lectures on English law, which was followed in 1861 by a second series on the same subject. These lectures were of an elementary and practical character, and admirably adapted for junior students in the profession.

*Sept. 10.*—MACLAREN, CHARLES, former editor and proprietor of the "Scotsman," a geologist and antiquarian, died at Edinburgh, aged 84 years. He was a native of Ormiston. In 1817 he aided in the establishment of the "Scotsman," and, with a brief intermission, continued his connection with that journal until 1847, when ill health compelled him to resign. He was the author of a "Treatise on the Topography of Troy," "The Geology of Fife and the Lothians," some articles in the "Encyclopædia Britannica," and several scientific papers in the "Edinburgh Philosophical Journal." Mr. Maclaren was a member of the Royal Society of Edinburgh, of the Geological Society of France, and of that of London.

*Sept. 10.*—HAY, DAVID RAMSAY, a Scottish portrait and decorative painter, and author of works on art, died in Edinburgh, aged 68 years. One of his earliest productions was a portrait of a favorite cat belonging to Sir Walter Scott,



who, pleased with his success, gave him the decorative painting of his house in Abbotsford, and did much by his influence toward bringing his talents before the public. Subsequently, Mr. Hay obtained a high reputation as an artistic decorator. In 1846 he designed and executed the decorations of the meeting-hall of the London Society of Arts.

*Sept. 11.*—MOURAVIEFF, Gen. NICOLAS, a Russian officer, died near St. Petersburg, aged 73 years. He was a descendant of one of the oldest and most remarkable families of Russia; he entered the army in 1810, and after serving for some time in the Army of the Caucasus, was charged in 1819 with a mission to Khiva. Having been appointed major-general in the war against Persia, he distinguished himself before Kars in 1828, and before Kalila in 1829. In 1830 he gained reputation in the campaign in Poland, and greatly contributed to the victory of Kazimiez, in consequence of which he received the grade of lieutenant-general. In 1832 he was charged with negotiating a suspension of hostilities with the Viceroy of Egypt, Mehemet Ali. In 1835 he was appointed commander of the Fifth Corps of infantry. In 1838 he fell into disgrace on account of disorders having crept into his corps, and for having neglected the armament of Sevastopol. He returned to Moscow and was considered a chief representative of the Old Russian party and the Old Russian ideas. In 1848, he re-entered the active army and became a member of the council of war, and later commander of the grenadiers of the guard. In 1855 the Government gave him command of the Army of the Caucasus and the conduct of the war. The capture of Kars was his last great exploit, from which he received the surname Karski. He remained commander of the Russian army in the Caucasian provinces until the accession of Alexander II., who appointed Prince Bariatin-sky to that position in place of Mouravieff.

*Sept. 14.*—HALLIDAY, CHARLES, an eminent merchant, antiquarian, and archæologist of Dublin, died at his residence near that city. Although engaged in the pursuits of commerce, he found leisure to apply himself to the elucidation of many obscure branches of Irish history and archæology, and his contributions to the "Transactions" of the Royal Irish Academy, of which he was a valuable member, contain many important papers. He filled the office of the governor of the Bank of Ireland on several occasions, was vice-president of the Chamber of Commerce, and, besides holding other responsible positions, devoted much time to the working of charitable institutions.

*Sept. 15.*—SHENTON, HENRY CHAWNER, one of the most eminent line engravers in Great Britain, died in London, aged 63 years. He was a native of Winchester, and was educated in one of the best English schools of art. His works most widely known are engravings for the Art Union of London, of which "The Death of Cœur de Leon" is most notable. He was

one of the first engravers on steel plate. His principal works are, "The Stray Kitten" (after W. Collins), "A Day's Sport in the Highlands" (A. Cooper), "The Tired Huntsman" (C. Landseer), "The Loan of a Bite" (W. Mulready), "The Hermit" (A. Fraser), and "Labor for Love" (J. F. Dicksee). The characteristics of his work are genuineness, and remarkably soft and pure flesh tints.

*Sept. 15.*—WILLOUGHBY, Sir J. POLLARD, Bart., an eminent English statesman, died at Fulmer Hall, Bucks, aged 67 years. He was a son of Sir Christopher Willoughby, Bart., was educated at Merchant Tailors' School, served in the Royal Navy, entered the Bombay civil service in 1817, and eventually became chief secretary to the Bombay government. From 1846 to 1851 he was a member of the local council, when he retired on an annuity. At an early age he attained a high reputation as one of the most efficient civil servants in India; exerting a great influence, in his official capacity, over the wild and rude chiefs with whom he was of necessity brought in contact. During his residence there he did much for the support of the philanthropic, educational, and literary institutions of Bombay. Returning home, he was in 1857 a member of the House of Commons for Leominster, but retired the following year upon receiving an appointment as a member of the Indian Council at home, which position he retained until his death. He was a magistrate for Bucks, and a deputy-lieutenant for London, and succeeded to the baronetcy in 1865.

*Sept. 15.*—DILLON, JOHN BLAKE, M. P., an Irish lawyer and statesman, died in Killarney, Tipperary, aged 52 years. He was educated at Trinity College, Dublin, was called to the bar in 1841, and practised his profession for many years in Dublin, at the same time being one of the proprietors of the "Nation." Attaching himself to the political fortunes of Smith O'Brien, he was against his will drawn into the rebellion, and upon its failure escaped to France, and from thence to the United States, where he resided for many years. A few years since he returned to Ireland, and soon became distinguished as a leader of the national party. In 1865 he entered the House of Commons as a representative from Tipperary, and exerted himself while there to bring about a cordial understanding and union between the English and Irish Liberals. He was an ardent advocate for reform, and had a mind thoroughly free from illiberality of any kind. He was a deep thinker, a fluent speaker and writer, and a thoroughly honest man.

*Sept. 16.*—MELIÉR, M., one of the ablest writers and expounders of sanitary science in Europe, died at Marseilles, aged 68 years. The greater portion of his life had been devoted to the promotion of sanitary science. He held the office of sanitary inspector-general, and was the leading member of the consulting hygienic committee, which acts as an adviser to government on all questions bearing upon the public



health. He was a member of the Academy of Medicine, and subsequently became president. Having been inspecting the sanitary establishments in Marseilles, he was returning from one of his missions when he was struck by a *coup de soleil*, and died of cerebral congestion.

Sept. 28.—FEATHERSTONAUUGH, GEORGE WILLIAM, F. R. S., her Britannic majesty's consul for the departments of Calvados and Seine, died at Havre, aged 86 years. Having resided for many years during the early part of his life in North America, and having explored numerous wild tracts then occupied by the native Indians, but now civilized States, he was singularly well qualified to act as a British commissioner in settling, by arduous service in the field, the northern boundary of the United States. It was for the successful execution of this task, in association with Mr. Baring, afterward Lord Ashburton; that the Earl of Aberdeen, then her majesty's Secretary for Foreign Affairs, assigned to Mr. Featherstonhaugh the consulate at Havre. In carrying out the duties of that office he received the full approbation of the Government. His writings on statistical and political subjects were clear and vigorous, and his geological memoirs merited the warm approval of his attached friends Buckland and Murchison. His works, as named by Allibone, are, "Geological Report," made in 1834, of the elevated country between the Missouri and the Red Rivers; "Observations on the Ashburton Treaty," 1842; "Excursion through the Slave States," published in 1844; and "Canoe Voyage" to the Minnesota, 1847, in two volumes.

Sept. —.—DUNBAR, DAVID, a Scottish sculptor, died in Scotland. His best works were busts from life, and some copies in marble from the antique. He produced busts of Earl Grey, Lord Brougham, Lord Durham, and other eminent statesmen; but one of his greatest works was a bust of Grace Darling.

Sept. —.—GOLDSCHMIDT, HERMANN, an eminent painter and astronomer, died in Germany, aged 64 years. He was born at Frankfort-on-the-Main, and was in the mercantile business until thirty years of age, when he took up his pencil, studying under the celebrated artists Schnorr and Cornelius in Munich. In 1834 he went to Paris, where he followed his profession. In 1847 he turned his attention to astronomy, and his discoveries obtained for him the gold medal of the Royal Astronomical Society of London besides other marks of recognition from the Academy of Sciences in Paris, to which body his discoveries were usually first communicated. His name is identified with no less than fourteen of the small planets between Mars and Jupiter, viz.,—Lutetia (1852), Pomona (1854), Atalanta (1855), Harmonia (1856), Daphne (1856), Nysa (1857), Eugenia (1857), Pseudo Daphne (1857), Doris and Pales (1857), both discovered on the same evening, Europa (1857), Alexandra (1858), Danae (1860), and Panopea (1861). From the Academy of Sciences at Paris, and other

learned bodies, he received numerous prizes and honors.

Sept. —.—SADLIER, LOUISE, a distinguished German painter, died at Weimar, aged 86 years. She was a native of Jena, and the contemporary of Goethe.

Oct 1.—TURGOT, LOUIS FELIX ETIENNE, Marquis de, minister of France at Berne, died at Versailles, aged 70 years. He descended from a noble family of Normandy, and was a native of Bons. He was educated at the military school of Saint Cyr, and served in the army for several years, resigning his commission in 1830. In 1832 he was raised to the Chamber of Peers, and took his seat with the conservative politicians, but the revolution of February sent him back to private life. He had taken but little part in public affairs up to that time; but he attached himself to the Napoleonic policy, was a member of the ministry of the 2d December, 1851, and identified himself entirely with the *coup d'état*. In July, 1852, he resigned the portfolio of Foreign Affairs to M. Drouyn de Lhuys, and received the dignity of Senator. On the 26th of April, 1853, he was accredited as ambassador to the court of Spain. In 1854 he fought a duel with Mr. Soulé, the United States ambassador. In 1852 he was made commander of the Legion of Honor, and grand officer of the order in September, 1858.

Oct. 11.—HOBBS, WILLIAM FISHER, an eminent English agriculturist, died at his residence near Colchester, aged 57 years. He was a native of White Colne, Essex, and from his earliest years was trained to farming. He combined both scientific knowledge and practical experience, holding each in such exact balance that he became a leading agriculturist in the country. At the time of his decease he was vice-president of the Royal Agricultural Society of England, of which he had been one of the founders, and a prominent member of several other important societies, not only in his own country, but abroad.

Oct. 11.—SIDNEY, Sir WILLIAM ROBERT, a parliamentary pleader, and author, died near Maidenhead, Berks, aged 78 years. He was educated at Trinity College, Cambridge, and was a magistrate for Berks. He was the author of works on savings, on the jurisdiction of the House of Lords in appeals and writs of error, on the practice in claims to dormant peerages, on state lotteries, etc.

Oct. 12.—LOWE, JAMES, inventor of the screw-propeller, was killed by an accident in the street.

Oct. 13.—PELLEW, Hon. GEORGE, D. D., Dean of Norwich, and rector of Chart, died at Great Chart, Kent, aged 73 years. He was a native of Cornwall, and a son of Admiral Sir Edward Pellew, G. C. B., was educated at Eton and Corpus Christi College, Oxford; received holy orders in 1817, became canon of Canterbury in 1823, dean of Norwich in 1829, and rector of New Chart in 1852. He was an accomplished scholar, and published, among other works,



"The Life of Lord Sidmouth," and several volumes of sermons.

*Oct. 18.*—SIEBOLD, PHILIP FRANZ VON, an eminent German botanist, died in Munich, aged 70 years. He was a native of Würzburg, was educated at the university there, and in 1823 received from the Dutch Government the appointment of physician and naturalist in the colonial establishment at Java, and subsequently was transferred to the embassy at Japan. He devoted several years to careful explorations, receiving material assistance from Japanese naturalists who sought the benefit of his instructions. His zeal in the prosecution of his scientific inquiries finally brought him into collision with the Japanese Government, and in 1828 he was expelled from the kingdom. In 1830 he went to Holland, where he occupied some years in the preparation of several works embodying the results of his investigations. Subsequently he resided for a time in Nangasaki. His chief works are: "Epitome Linguae Japonicæ" (Batavia, 1826), "Fauna Japonica" (Leyden, 1836-'46), "Bibliotheca Japonica" (1833-'41), "Catalogus Librorum Japonicorum" (1845), "Urkundliche Darstellung der Bestrebungen Niederlands und Russlands zur Eröffnung Japans" (1854). He has also left uncompleted an elaborate illustrated work upon Japanese plants, commenced in 1832.

*Oct. 18.*—ROBINSON, GEORGE AUGUSTUS, an English government officer, died at Bath, aged 68 years. He was a native of London. In 1830 he succeeded in accomplishing a project of much importance to the government, the removal of the blacks from the island of Tasmania to Flinder's Island, which had been assigned exclusively to them. As an acknowledgment of this service, he was placed at the head of the Protectors of the Aborigines in Australia.

*Oct. 16.*—HOPKINS, WILLIAM, F. R. S., Senior Esquire Bedell of the University of Cambridge, died there, aged about 63 years. He was educated as a farmer, but finding that occupation uncongenial to his tastes, he entered the university comparatively late in life, and graduated in 1827. He soon distinguished himself as a private tutor, devoting much of his attention to mathematics and geology. Recently a university prize was founded in his honor; the funds of which are held in trust by the Cambridge Philosophical Society for the encouragement of mathematico-physical investigations. Mr. Hopkins served in turn in the offices of president of the Geological Society, and of the British Association for the Advancement of Science.

*Oct. 18.*—WRENCH, Miss MATILDA, an English writer and philanthropist, died at Bowden, Selkirkshire. She was of English birth, but had spent the greater portion of the last twenty years in Scotland, devoting her energies and her possessions to the advancement of the interests of the people in the western Highlands, especially in Skye, where she built and

endowed a school. For many years she was associated with Mrs. Fry in visiting the prisons of London, and in other works of love and self-sacrifice. She has left translations which attest the extent of her scholarship and the beauty of her style, among which may be mentioned Neander's "Life of St. Bernard," and portions of "The Life and Times of Frederick Perthes."

*Oct. 19.*—PLUNKET, Rt. Hon. and Rev. THOMAS SPAN PLUNKET, second lord and bishop of Tuam, died in Tourenakeady, Galway, aged 74 years. He was a son of William Conyngham Plunket, the great Irish chancellor; was educated at Trinity College, Dublin, and having held some preferments, he was appointed Dean of Down in 1831, and in 1839 was raised to the bishopric of Tuam. He was an active and energetic prelate, as was evinced by the prosperity of the diocese under his care.

*Oct. 24.*—CONQUEST, J. T., M. D., an eminent English surgeon and author, died at The Oaks, Kent, aged 77 years. He entered the profession early, obtaining his degree as member of the College of Surgeons at eighteen, and the following year was appointed assistant surgeon in the Military Medical Depot at Chatham, and shortly afterward held the same post in the Royal Marines at Brompton, whence he went to the Edinburgh University and graduated in 1813. In 1814 Dr. Conquest commenced practice in London, and his talents attracting attention, he was called to the chair of obstetrics at St. Bartholomew's Hospital. He was a man of great benevolence, using all his energies for the promotion of the interests of his fellow-men. Among his published works may be mentioned, "Outlines of Midwifery," subsequently translated into most of the European languages, and ultimately into Hindostanee and Chinese; a pamphlet on the "Use and Abuse of Money," and a revised edition of the Bible, known as "The Bible, with 20,000 Emendations."

*Oct. 26.*—DORION, ERIC, a Canadian journalist, died at L'Avenir, Canada. He began life without means, but through untiring industry and courage surmounted all obstacles, and entered public life early as the conductor of a newspaper published under the title "L'Avenir," which he afterward gave to the village where he spent his later years. For a time this journal was exceedingly prosperous, but owing to some opposition it was discontinued, and, after a short experience in mercantile life, he established another journal called "Le Défricheur." M. Dorion sat in several successive Parliaments for the counties of Drummond and Arthabaska, and wielded a large influence throughout that portion of the country.

*Oct. 28.*—SPENCE, B. E., an English sculptor long resident at Rome, died at Leghorn. Among his most popular works are: "The Finding of Moses," "Jeanie Deans," and "The Shepherd Boy."

*Oct. —.*—FRANCIS, GEORGE HENRY, an editor



and author, died in Paris, aged 50 years. At an early age he became connected with the press as a parliamentary reporter of the "Times," "Mirror of Parliament," and other papers. He was successively editor of the "Morning Post," "Atlas," "Dublin Daily Express," and "Morning Chronicle." Among his published works are: "The Orators of the Age," and critical biographies of B. Disraeli, Sir Robert Peel, Lord Brougham, and Lord Palmerston.

*Nov. 1.*—BARKER, BERNARD, a philanthropist of Edinburgh, died in that city. He was a man of deep and remarkable sympathies, with a keen perception of the trials and sufferings of the poorer classes, to whom his purse was ever open. Especially was he interested in the poor of Cowgate, and for his efforts in their behalf became widely known as "The King of Cowgate." About forty years ago he commenced business in Edinburgh as an "old-clothes man," and by his integrity extended his business until his agents in Ireland and America often gave orders for the shipment of goods, advancing therefor large sums. At his death he was said to have left property worth £40,000.

*Nov. 2.*—HOLLAND, SABA, Lady, an English author, died in London. She was a daughter of the late Rev. Sydney Smith, and in 1834 married Sir Henry Holland, M. D., the eminent physician. She was the author of the well-known biography of her father, the witty Canon of St. Paul's.

*Nov. 3.*—COLLINGWOOD, ROBERT GUSTAVUS ADOLPHUS, M. D., physician and author, died at Bishopwearmouth, aged 83 years. He was a native of Alnwick, and was early destined for the profession in which his father, Dr. Thomas Collingwood, had achieved so distinguished a reputation in England. He was licensed to practice in 1810, and in 1813 received his degree of M. D. from the University of Edinburgh, and became a member of the Royal College of Surgeons. Subsequently he was for some time physician to the Universal Medical Institute of London. His scientific knowledge and literary abilities were of a high order, and his love of art had prompted him to acquire a valuable collection of paintings, antiquities, &c. He was the author of "Lectures on the Theory and Practice of Medicine," an "Essay on Dropsy," and occasional valuable contributions to medical journals.

*Nov. 13.*—PARKER, Admiral Sir WILLIAM, Bart., G. C. B., an English naval officer, died in Staffordshire, aged 84 years. He entered the navy in 1793, serving in the West Indies, and rising from rank to rank until, in 1802, as Captain of the Amazon, he distinguished himself in the war with France. During this period he captured several French and Spanish privateers, and was the hero of many brilliant exploits. In July, 1830, he was made rear-admiral, and the following year was invested with the chief command of the Lisbon station. In July, 1834, he was made K. C. B., and ten days later a

Lord of the Admiralty. On resigning that appointment, he was, in 1841, made naval commander-in-chief in the East Indies, superintending all the operations in China, from the taking of Amoy to the pacification of Nanking, in 1842, for which he received the thanks of both houses of Parliament. As a reward for his services, he was made a G. C. B., and subsequently was raised to the dignity of a baronet. He was made principal aide-de-camp to the queen in 1846, rear-admiral of the United Kingdom in 1862, and admiral of the fleet in 1863.

*Nov. 20.*—SHIRLEY, Rev. WALTER WADDINGTON, D. D., professor of ecclesiastical history and canon of Christ Church, Oxford, died there, aged 38 years. He was the only son of the late Rt. Rev. W. A. Shirley, Lord Bishop of Sodor and Man; was educated at Rugby, University College, and Wadham College, Oxford, where he subsequently became fellow and tutor. Having won many honors during his collegiate course, he was in 1826 appointed a master in the schools, and in 1862 was nominated to the office of select preacher. In 1864 he was appointed by Lord Palmerston to the regius professorship of ecclesiastical history, and canonry of Christ Church. His scholarship was thorough and brilliant, and in his teachings he always went to the fountain-head. He was well-known in the literary world as the editor of the "Fasciculi Zizaniorum Magistri Johannis Wyclif," and also of letters illustrative of the reign of Henry III., which works were brought out by him under the direction of the master of the rolls in 1858 and 1863, respectively.

*Nov. 24.*—CHEVALIER, SULPICE PAUL (Gavarni), an eminent French designer and caricaturist, died in Paris, aged 65 years. His parents were originally from Burgundy, but had then just established themselves in Paris, where he was born, in 1801. He was educated to embrace at pleasure the profession of architecture or civil engineering. Choosing the latter, he was, in his twentieth year, appointed surveyor in the land valuation office, his residence to be at Tarbes. During his leisure hours he amused himself with his pencil, and at thirty-four years of age obtained an engagement to sketch the fashions of the day for a weekly journal, and subsequently undertook the management of the "Journal des Gens du Monde." His productions gave him a wide reputation, and among his most popular illustrations may be mentioned those of Eugène Sue, in the "Diable à Paris," and the works of Balzac. Among his compositions are the "Lorettes," the "Artistes," the "Bals Masqués," the "Balivernes de Paris," the "Enfants Terribles," "Parents Terribles," and the "Impressions des Voyages." He took the name of Gavarni, after a sketch by him of the Circus of Gavarni, among the Pyrenees. Having become deeply interested in mathematical pursuits and aërostation, he deserted art in 1856, and thenceforth devoted himself so entirely to these studies that his health suffered



from confinement, which ultimately shortened his life.

*Nov. 29.*—BARANTE, AIMABLE GUILLAUME PROSPER BRUGIÈRE, Baron, a French historian and diplomatist, died at Auvergne, France, aged 84 years. His immediate ancestors were scholars of some reputation, and under the supervision of his father, young Prosper received a thorough classical education, after which he entered the polytechnic school in Auvergne, his native town. Entering public life in 1802, he held several offices at home and diplomatic missions abroad; served for a time as general secretary of the home department, and in 1819 was made a peer of France, when he gave himself up more exclusively to literary pursuits. As early as 1808 he published anonymously an able sketch of the literary men of the eighteenth century. In 1814 were published the "Mémoires" of Madame de La Rochejaquelein, relating to the sanguinary wars waged against the insurgents of La Vendée during the first period of the French Republic, the greater portion of which was written by his pen. In 1821 he published his French version of Schiller's dramas, after which he devoted himself for years to his most important work, as the historian of the Dukes of Burgundy. This labor, so ably performed, gained him an entrance into the French Academy in 1828. After the revolution of 1830, Barante was appointed ambassador to the court of Turin, and in 1835 was sent as minister to Petersburg. His subsequent writings were partly political, but mainly historical.

*Dec. 1.*—COTTON, WILLIAM, D. C. L., F. R. S., an English philanthropist, director of the Bank of England, died in Leytonstone, Essex, aged 80 years. He was descended from the Cotton family of Cheshire; was educated at the Grammar School of Chigwell, and in his fifteenth year entered a counting house. In 1808 he became connected with a large firm manufacturing machinery for registering cables, and from this time developed that deep and active interest in the social and spiritual welfare of his fellow-men which characterized his future life. He was one of the original founders of the National Society, was governor of Christ's Hospital, the originator of public baths and wash houses, took a leading part in the formation of King's College, and was ever actively engaged in the work of church building. In 1822 he was elected a director of the Bank of England, of which he was governor three times. During this period the necessity of weighing the whole of the gold coinage of the country led him to conceive the idea of the automaton weighing machine, now so extensively used. He retired from his position as director of the bank in 1866. Mr. Cotton was a deputy-lieutenant for Essex, chairman of Petty Sessions at Ilford and Stratford, and subsequently chairman of Quarter Sessions at Chelmsford.

*Dec. 1.*—EVEREST, Col. Sir GEORGE, C. B., F. R. S., Royal Bengal Artillery, died at Hyde

Park gardens, aged 76 years. He was educated at the Royal Military Schools of Great Marlow and Woolwich; entered the service of the East India Company in 1804, and served at the siege of Kalinger in 1812. He was surveyor-general of India, and superintendent of the great trigonometrical survey from 1830 to 1843, when he retired from the service with the rank of colonel. He was knighted and made C. B. in 1861.

*Dec. 3.*—HINCKS, Rev. EDWARD, D. D., a clergyman of the Church of England, philologist, and archæologist, died at Killeleagh, county Down, Ireland, aged 72 years. He was the son of Dr. Thomas Dix Hincks, professor of Hebrew and head-master of the classical school in the Belfast Academical Institution. He was a native of Cork; graduated at the Dublin University in 1812, and took a fellowship the following year. In 1826 he became rector of Killeleagh, holding that position until his death. He contributed numerous valuable papers, especially on Egyptian hieroglyphics and Assyrian cuneiform inscriptions, to the Royal Irish Academy, the Royal Society of Literature, the Asiatic Society, and the British Association. He was one of the chief restorers of Assyrian learning, throwing great light on the linguistic character and grammatical structure of the languages represented on the Assyrian monuments. He was an able advocate of reform in the Irish Establishment.

*Dec. 8.*—FRERE, JAMES HATLEY, an English commentator on the prophecies, died at Shillington, Bedfordshire, aged 87 years. In 1812 he first commenced the study of prophecy, and although the death of the First and Second Napoleons seemed at the time to have exploded his Napoleonic theory of interpretation, he adhered to it through all adverse appearances, and continued even to the last to look on the present Emperor of the French as destined to fulfil his expectations as to the downfall of the temporal power of the Papacy, and the brief reign of Antichrist, as preparatory to the restitution of all things.

*Dec. 11.*—MEATH, Rev. JOHN CANTWELL, D.D., Roman Catholic Bishop of, died at Mullingar, aged about 75 years. He was consecrated in 1830. One of the most able and active prelates, he was always distinguished by strong political feeling, which manifested itself especially in the election of members of Parliament, and in the advocacy of tenant right.

*Dec. 13.*—ROBERTSON, JOSEPH, LL. D., a Scottish antiquarian, died at Edinburgh, aged 55 years. He was a native of Aberdeen and was educated for the law, but early in life turned his attention to the editorial profession. He edited several volumes for the Spalding, Maitland, and Bannatyne clubs. In 1853 his antiquarian tastes were gratified by an appointment as curator of the Historical Department of the Register Office at Edinburgh, which position he held at the time of his death. Few men were more thoroughly acquainted with



the literature and history of the northeastern portion of Scotland than Dr. Robertson. His last published work was a collection of the canons and councils of the ancient Scotch church, entitled "Statuta Ecclesiæ Scotianæ."

Dec. 13.—MONRO, REV. EDWARD, M. A., an English clergyman and author, died at St. John's Vicarage, Leeds, aged 51 years. He was a native of London, where his ancestors for four successive generations had practised as physicians. He was educated at Harrow, and at Oriel College, Oxford, where he graduated in 1836. In 1839 he was ordained, and, after holding for a time the curacy of Harrow, was in 1840 appointed to the incumbency of Harrow Weald, which he held until 1860, when he accepted the vicarage of St. John's, Leeds. At Harrow Weald he conducted a training college for schoolmasters, and candidates for holy orders. In 1862 he was appointed one of the select preachers in the University of Oxford. He was latterly an adherent of high church principles, and was the author of numerous theological and other works, among which are "The Fulfilment of the Ministry," "Reasons for feeling secure in the Church of England," "Daily Studies during Lent," "The Dark River," "The Combatants," and "The Midnight Sea."

Dec. 17.—HIND, REV. JOHN, M. A., F. R. S., an English clergyman, and author of mathematical text books, died at Cambridge, aged 70 years. He graduated at St. John's College, Cambridge, in 1818. For a time he was fellow and tutor of Sidney Sussex College, Cambridge. He was the author of works of great merit on arithmetic, algebra, trigonometry, differential calculus, and arithmetical algebra.

Dec. 20.—GILBERT, MRS. ANNE, an English writer for children, died at Nottingham, aged 84 years. She was the widow of Rev. Joseph Gilbert, also an author, but was better known in literary circles as Anne Taylor. She came of a literary stock, her parents, brothers, and sister, being well-known writers. One of Mrs. Gilbert's first works was "Original Poems for Infant Minds," prepared in connection with her sister, Jane Taylor, and to this day a popular favorite; she was also the author of the admirable little poem "My Mother."

Dec. 24.—DICK, ROBERT, the scientific baker of Thurso, Eng., died in that town. Though a baker by trade, his love of science rendered his business remunerative, and his shop was the resort of men of influence and education, who considered him one of the highest authorities upon certain scientific questions. He was a prominent member of the British Association for the Advancement of Science.

Dec. 24.—FIGANIERE E MORAO, J. C., Portuguese minister to the United States, died in Brooklyn, L. I., aged 68 years. He was born at Lisbon, and was sent to this country in the capacity of consul at Norfolk, Va., many years ago. After fulfilling the duties of this office acceptably for years, his government promoted

him to the position of *chargé d'affaires* at Washington, which he held until the usurpation of Don Miguel, when he resigned and retired to a life of privacy. After the expulsion of the usurper from the throne of Portugal, and the reinstatement of the lawful sovereign, Signor de Figanieri e Morao was appointed Minister Plenipotentiary and Envoy Extraordinary to represent his country at Washington. This position he continued to occupy until his death. Being the senior representative of foreign governments, he had for many years occupied the position of Dean of the Diplomatic Corps.

Dec. —.—FRANK, M. the oldest rabbi of the Jewish Church in Germany, died at Wilna, aged 108 years.

OHIO. This State is steadily advancing in population, wealth, and general prosperity. Since the close of the war a new impetus has been given to every department of industry. Labor has been amply rewarded, and success has attended business operations of every kind.

The Democratic State Convention met at Columbus May 24th, nominating General Benjamin Lefevre for Secretary of State, Thomas M. Key for Judge of the Supreme Court, and William Sarwell for member of the Board of Public Works. The following resolutions were unanimously adopted:

*Resolved*, That the Democracy of Ohio will adhere in the present and in the future, as in the past, with unflinching fidelity and firmness, to the organization of the Democratic party, and to its ancient and well-settled principles as enunciated by Thomas Jefferson, the moral apostle of American Democracy, and as acknowledged and accepted by the party from the foundation of the Government, and especially of equal taxation, and of representation of all States subject to taxation.

*Resolved*, That the one great question of the day is the immediate and unconditional restoration of all the States to the exercise of their rights within the Federal Union, under the Constitution, and that we will cordially and actively support Andrew Johnson as President of the United States in all the necessary and proper means to carry out his policy as directed to that end, and especially in securing immediate representation in the Senate and House of Representatives to the eleven States from which it is now unconstitutionally and arbitrarily withheld, unless on the degrading condition of inferiority in the Union, and of negro political and civil equality enforced by the Federal Government.

*Resolved*, That to accomplish the purposes above set forth we will cordially coöperate at public meetings, conventions, and at the polls, with all men, without reference to past party position, who honestly, and by their acts and votes, as well as by their professions, support the President in his policy of restoration as now desired.

The Republican State Convention assembled at Columbus June 20th, and made the following nominations: Secretary of State, William Henry Smith; Judge of the Supreme Court, Josiah Scott; Board of Public Works, John M. Barrel.

The convention adopted the following resolutions:

*Resolved*, That the Union party of Ohio, having sustained the General Government, during four years of successful war, against the united efforts of rebels in the South and their partisans in the North, now



demand that peace shall be established upon such sure foundations that rebellion and secession will never again endanger our national existence.

*Resolved*, That this convention fully indorses the amendments to the Constitution proposed by Congress to the Legislatures of the States, as a liberal, wise, and patriotic adjustment; and the Union party of Ohio pledge for it their united and hearty support.

*Resolved*, That the nation owes the heroic men of our army and navy a debt of lasting gratitude for their patriotic service in defence of the Constitution and the Union, and we urge upon Congress the duty of equalizing the bounties; and that while we cherish with the tenderest affection the memories of the fallen braves, we pledge to their widows and orphans the nation's care and protection.

At the election in October the total vote for Secretary of State was 469,908; of which William H. Smith received 256,302, and Benj. F. Lefevre, 213,606. Of the nineteen members of Congress elected, seventeen are Republicans and two Democrats. The State Legislature is divided as follows:

	Senate.	House.	Joint ballot.
Republicans.....	25	69	94
Democrats.....	12	36	48
Rep. maj.....	13	33	46

The number of acres of land assessed for taxation is 25,403,301, the valuation of which is..... \$498,771,034  
The value of real estate in cities, towns, and villages is ..... 164,876,508  
The value of chattel property is..... 442,561,379

Total valuation of 1866.....\$1,106,208,921

This is an increase over 1865 of \$36,603,066, of which the sum of \$175,072 was in real estate not in cities and villages; \$2,914,491 in real estate in cities, towns, and villages, and \$33,513,503 in chattel property.

The total State and local taxes for the year were \$16,507,867.13.

The aggregate assessments for school purposes in 1866 amounted to \$4,493,844.50, of which the sum of \$3,056,652.48 was by local taxation, and \$1,437,192.02 by State levy.

The finances of the State are in the most favorable condition, and its credit in market is not surpassed by that of any other State. The receipts into the treasury for the fiscal year ending 15th November, including the balance of \$756,085.92 unexpended in the previous year, were \$8,455,748.41. The expenditures were \$7,434,496.73. The balance in the treasury, November 15th, was \$1,021,000. The State debt at the same date amounted to \$12,912,000. The decrease of the public debt during the fiscal year was \$1,097,246.31. Agriculture is the most important interest in the State, and is flourishing. The number of acres planted in wheat was 1,451,720, yielding a product of 13,234,189 bushels. The yield of corn was 68,053,668 bushels from 1,932,345 acres planted; and of oats, 17,586,664 bushels, from 690,740 acres. The State produced during the year 32,450,139 pounds of butter, and 16,947,906 pounds of cheese. The tobacco crop amounted to 14,107,823 pounds. The yield of maple su-

gar was 5,660,002 pounds, and of sorghum sugar 67,068 pounds, with 3,963,751 gallons of sorghum syrup, and 408,416 gallons of maple syrup. 5,660 acres were devoted to grape culture, producing 2,487,000 pounds of fruit, and 237,008 gallons of wine.

The product of wool was 20,942,571 pounds. Large quantities of rye, buckwheat, barley, hay, clover, flax, and potatoes, were also raised. Great attention is given to stock-raising, and no State can furnish better specimens of domestic animals. The following shows the number and value of the live-stock of the State:

	Number.	Value.
Horses .....	683,767	\$47,490,428
Cattle .....	1,268,698	29,674,519
Mules, etc.....	20,165	1,389,195
Sheep.....	7,039,885	20,391,212
Hogs.....	1,817,159	8,861,871

Liberal provision is made for the support of common schools, of which there are over 11,000 in the State.

No census has been taken in Ohio since 1860; but the following table, deduced from the vote in October, will, it is estimated, approximate very closely to the present population of the principal cities and towns, and show their rate of increase:

CITIES.	Population, 1860.	Population, 1866.
Cincinnati.....	161,044	193,940
Cleveland.....	43,417	57,297
Columbus.....	18,554	33,299
Dayton.....	20,081	29,152
Toledo.....	13,768	27,683
Zanesville.....	9,229	12,278
Sandusky.....	8,408	11,823
Hamilton.....	7,223	11,703
Springfield.....	7,002	11,414
Xenia.....	4,658	10,855
Chillicothe.....	7,626	8,796
Portsmouth.....	6,268	8,931
Steubenville.....	6,154	8,489
Akron.....	3,477	7,429
Newark.....	4,675	6,916
Piqua.....	4,616	6,787
Mansfield.....	4,581	6,695
Canton.....	4,041	6,513
Tiffin.....	3,992	6,220
Marietta.....	4,323	5,427
Lancaster.....	4,303	5,310
Ironton.....	3,691	4,511
Gallipolis.....	3,418	4,289

During the year ending July 1st, 11,000 new buildings were erected in the State; being a larger number than any similar period has shown for ten years past.

The number of marriages reported for the year was 30,000; being an increase of thirty per cent. over the previous year, and some 6,000 more than in any year of the past ten.

The amount of money loaned upon the mortgages recorded in the State, is an evidence both of the numbers of transfers of capital and real estate, and of confidence in the stability of business. The amount secured in mortgages



in 1866 was \$32,000,000. There was also a great increase in certificates issued for the incorporation of manufacturing companies, such as rolling-mills, iron furnaces, factories, etc.

The various asylums are in good condition, and, to the extent of their capacity, doing thoroughly the good work committed to them. The penitentiary has been managed with firmness, good discipline, and economy. Owing to the fact that the existing contracts for the labor of the prisoners were made when the value of labor was much lower than at present, the expenses of the institution exceeded the receipts from the labor of the convicts by the sum of \$16,239.86. More than three-fourths of the convicts are under thirty years of age, and a large majority of them are young men who have very recently come of age.

The State Reform Farm was organized eleven years ago upon the "family system" adopted in some reformatories for youth in Continental Europe, and was the first attempt to introduce the plan into this country. A large proportion of the youth sent there have been convicted of penitentiary crimes, some of them of the gravest character. The great aim of the commissioner in charge, and of the elder brothers (as the officers and teachers are called), has been to revive in these boys a respect for rectitude and a love for truth and virtue. All the discipline and instruction has been directed to this end. While the fact of their deserving punishment has not been ignored, they have been made to feel that their crimes have made the discipline of the school a necessity to them for their own good, and a necessity for the community's protection. Records have been kept of the youth discharged, and their history traced as far as it has been possible to do so, and the results have been such as to justify the assertion that hundreds of boys have been made useful and honest members of society, who would otherwise have filled the prisons of the land and belonged to the class of professional criminals.

OLDENBURG, a grand duchy in Northern Germany, Grandduke, Peter I., born July 8, 1827; succeeded his father, Feb. 27, 1853. Heir-apparent, Frederic August, born Nov. 16, 1852. In the German-Italian war, Oldenburg sided with Prussia, and after the war it joined the North German Confederation. On Sept. 27, 1866, Oldenburg concluded a treaty with Prussia, by which the grand duke of Oldenburg ceded his claims to Schleswig and Holstein, while Prussia ceded to Oldenburg some districts of Holstein, with a population of 12,604 inhabitants. The area of Oldenburg is now 2,468 square miles, and the population 314,416. The movement of shipping in 1864 was as follows:

FLAG.	ENTERED.		CLEARED.	
	Vessels.	Lasts.	Vessels.	Lasts.
Oldenburg .....	5,006	86,468	5,220	89,071
Foreign.....	3,242	120,190	3,202	124,261
Total.....	8,748	206,658	8,422	213,332

The commercial navy consisted in 1865 of 610 vessels, of a total burden of 2,396 lasts.

OREGON. The election for State officers in Oregon is held on the first Monday in June, biennially, except for Governor, whose term of office is four years. The candidate of the Republican party was George L. Woods, who was not committed to the support of the majority in the Federal Congress. The candidate of the Democratic party was ——— Kelly. The resolutions of the convention nominating Mr. Kelly expressed a full approval of the policy of President Johnson for the restoration of the Union. At the election the total vote for Governor was 20,239; of which Woods received 10,283, and Kelly 9,956, making a Republican majority of 327. The Republican candidate for Congress was chosen by a majority of 553. The state of parties in the Legislature was as follows:

	Senate.	House.
Republicans .....	14	24
Democrats .....	8	23
Republican majority.....	6	1

At the ensuing session of the Legislature two of the Republican members of the House were required to yield their seats to two Democrats.

The session of the Legislature commenced on September 10th. This period of its session had been adopted owing to the difficulty for members from the eastern part of the State to get to or from the capital in the winter. A bill, however, passed the House to change the time of meeting to December. Resolutions approving the Constitutional amendment, article 13, were passed by one majority in the House. After the expulsion of the two Republican members above mentioned, a preamble and resolutions were introduced, declaring that the two persons were "illegally and fraudulently returned as members," and by their aid the Federal Constitutional amendment had been approved. Therefore,

*Resolved by the House of Representatives of the State of Oregon,* That the action of this House in passing the said Constitutional amendments did not express the will of this House as it now stands, after being purged of its illegal members.

*Resolved,* That the secretary of state be directed to forward a certified copy of the foregoing preamble and resolution to William H. Seward, Secretary of State of the United States, within ten days from the passage of the same.

These were adopted—ayes, 24; nays, 18. A discussion ensued during the next day on approving the journal, which declared the resolutions passed, during which three absentees recorded their votes in the negative. Much confusion ensued, during which the clerk tendered his resignation, "to take effect immediately," which was not accepted. It was claimed that there was an agreement to allow absentees to record their votes, and some would be absent beyond the current day. The journal was finally approved—yeas, 26; nays, 20. On a subsequent day a resolution was passed to reconsider the above vote, and on the next day a



vote was taken on a resolution declaring the action of the House, in authorizing the amendment of the Federal Constitution, illegal and fraudulent. This resolution was lost—yeas, 23; nays, 24.

But the most important subject before the Legislature at this session was the Oregon Central Railroad. On October 6th the Governor sent a special message to the Legislature on the subject, urging the necessity of immediate action, otherwise great delay would ensue in consequence of their biennial sessions. The State was destitute of common roads, and its water communication with the marts of trade was totally inadequate to the wants of the people. A railroad running through the Willamette Valley, and *via* Oakland, Roseburg, Jacksonville, and Yreka, connecting with the Central Pacific in California, was of vast importance. But not less important was a road running from the navigable waters of the Columbia *via* Boise City to the valley of the Great Salt Lake, connecting with the Central Pacific at Salt Lake City. This was the route to which the Governor's message referred. An act was passed at a previous session to aid the first-named route, but the appropriation was so small nothing had been accomplished. Congress, by an act of July 25, 1866, donated twenty sections of the public lands for each mile of railroad constructed from the city of Portland, Oregon, to connect with the Central Pacific Railroad in California, which lands are to be selected within thirty miles of the road on each side. This grant does not afford sufficient security for investment; the Legislature was, therefore, called upon to offer sufficient inducement to draw capital from abroad. Capitalists have offered under such circumstances to embark in the enterprise. The incorporation of the Oregon Central, with provisions that would enable it to reap the benefits of the act of Congress, and that should secure the payment of the interest on the bonds of the company necessary to construct the first twenty miles, was an all-important measure. The subject was referred to a special committee in the House, who made a report in favor of the measure, and stated the following facts relative to the resources of the State:

It is a well-known fact that the wheat crop, the great reliance of the Oregon farmer, scarcely ever yields him one-third the price it commands in the San Francisco market. In 1864, while wheat was selling readily for \$2.00 in San Francisco, it would bring the farmer but 75 cents in the Willamette Valley, and now, when it is above \$1.00 in San Francisco, it is dull sale at half that price here. The same inequality of prices will be found to prevail in all other articles of produce. It is absurd to expect our farmers to prosper and aid in developing our country, as long as they are subjected to such disadvantages in competing with the farmers of California. And we cannot expect that other branches of business will prosper when the farmer is thus deprived of the profits of a good market for want of cheap transportation at all times. In Southern Oregon the obstacles to the exportation of agricultural products are so great as to amount to a complete embargo; and such

must forever continue to be the condition of that country, at least so far as the most profitable part of the farmer's labor is concerned, until the country is tapped by a railroad leading either to Portland or San Francisco. And as illustrating the necessity of a railroad connection to the people of the southern counties, we may mention the fact, ascertained from the books of the commission merchants at Crescent City, California, that the inhabitants of Josephine and Jackson Counties have in a single year paid out, as freight money alone, on 1,800 tons of merchandise imported, the sum of \$179,700. This large expenditure would be reduced fully three-fourths by the construction of a railroad, while it would give the people some opportunity to pay for this merchandise by the exchange of the produce of the farms, while cheap goods and cheaper machinery would stimulate the production of the means immeasurably.

The aid proposed to be given by the State was, that she should pay \$70,000 per annum as soon as one hundred miles of the road were finished. The increase in the assessable value of property, in consequence of the existence of the road, it was estimated would pay this sum without any increase in the rate of taxation. The bill granting the aid required was finally passed in both Houses. A bill was passed at this session to protect and tax Chinese mining in the State. Another, for the reorganization of public schools, and with one requiring a registry of voters, failed to pass. The public institutions of the State are yet in an incomplete condition. The Penitentiary is a temporary structure in an unhealthy location. The Insane Hospital contains, as patients and attendants, one hundred and twenty persons; new buildings have been completed and furnished with all the usual recent improvements. Domestic manufactures of wool and iron are improving very rapidly. The wool clip is estimated to be worth \$300,000. The crops of the year were heavy, but prices of the staple products were low and the markets dull. At Salem, the capital, the thermometer has generally ranged between forty and fifty degrees during the winter of 1866-'67. Grass has grown some during the season, and on February 10, 1867, the pastures were green.

OUSELEY, Sir WILLIAM GORE, K. C. B., D. C. L., an English diplomatist, born in London, in 1797; died there March 6, 1866. He was the eldest son of Sir William Ouseley, LL. D., and entered the diplomatic service at an early age. He served in many countries, including a prolonged residence at the court of Rio Janeiro, and also at Buenos Ayres and Monte Video, during an eventful period in the history of some of the South American States. In 1857 he was sent on a special mission to this country. While at the British Legation in Washington in 1829, he married a daughter of Governor Van Ness of Vermont. In common with most members of his gifted family, who for centuries held offices of trust under the British Government, Sir William was a ripe classic as well as a sound modern scholar, and received the honorary degree of D. C. L. from the University of Oxford in 1855. He was an admirable writer and well versed in many branches of *belles lettres*.



## P

PARAGUAY, a republic in South America. President, Don Francisco Solano Lopez, born in 1827; assumed the presidency on September 10, 1862. (For additional information on the constitution of Paraguay, *see* ANNUAL CYCLOPÆDIA for 1865.) Area, about 73,000 English square miles; population in 1857, 1,337,431. The army consisted, in 1865, of about 47,000 men; and was estimated in July, 1866, at 60,000. The navy consisted of 11 steamers and 40 armed flatboats. An arsenal was built in Assuncion in 1855, and already eight steamers have been built there. Near the arsenal is a manufactory of arms, and in Ibicuy there is an iron foundry which casts pieces of ordnance. The railroad which is to connect Assuncion with Villa Rica, the chief commercial city in the interior, has been finished as far as Luque.

The treaty of alliance against Paraguay, which, on the 1st of May, 1865, was concluded by the plenipotentiaries of Brazil, the Argentine Republic, and Uruguay, was kept secret until April, 1866, when it became known, to the great annoyance of the allied governments. It is as follows:

The government of the Oriental Republic of Uruguay, of his majesty the Emperor of Brazil, and of the Argentine Republic (against the last two of these war has been declared by the government of Paraguay, and the first is in a state of hostilities, having its internal security threatened by the same government of Paraguay, which, after having disturbed its relations with the neighboring governments by the most abusive as well as aggressive acts, has violated its territory, broken solemn treaties, and disregarded the international law of civilized nations by committing acts the most unjustifiable), persuaded that the peace, security, and well-being of their respective nations are impossible while the actual government of Paraguay exists, and that their greatest interests demand, as of imperious necessity, that said government be set aside, without, however, any offence to the sovereignty, independence, and integrity of said republic and its territory, have resolved to enter into a treaty of alliance, offensive and defensive, in order to obtain the object set forth above, and to this end they have appointed as their plenipotentiaries, to wit: H. E. the Provisional Governor of the Oriental Republic of Uruguay has appointed Dr. Don Carlos de Castro, Secretary of State for Foreign Affairs; H. M. the Emperor of Brazil has appointed H. E. Dr. Don Octaviano de Almeida Rosa, of his council, Deputy to the general legislative assembly and Official of the Imperial Order of the Rose; his excellency the President of the Argentine Confederation has appointed Dr. Don Rufino de Elizalde, Secretary of State for Foreign Affairs. After having exchanged their respective credentials, and found them in good and due form, these plenipotentiaries have agreed upon and entered into the following treaty of alliance:

ARTICLE 1. The Oriental Republic of Uruguay, his majesty the Emperor of Brazil, and the Argentine Republic, contract an offensive and defensive alliance in the war which has been provoked by the government of Paraguay.

ART. 2. The allies shall use all the means at their disposal, by land or water (literally, rivers), according as may become necessary.

ART. 3. As hostilities will have to begin on the soil of the Argentine Republic, or on the adjoining border of the Paraguayan territory, the command-in-chief and direction of the allied armies shall fall to the charge of Brigadier-General Don Bartolome Mitre, President of the Argentine Republic and general-in-chief of its army. The naval forces of the allies shall be under the immediate orders of Vice-Admiral the Viscount de Tamandaré, commanding-in-chief the squadron of his majesty the Emperor of Brazil. The land forces of the Oriental Republic of Uruguay, one division of the Argentine troops, and another of Brazilian, to be designated by their respective superior officers, shall form an army to be under the immediate command of Brigadier-General Don Vanancio Flores, Provisional Governor of the Oriental Republic of Uruguay. The land forces of his majesty the Emperor of Brazil shall form an army under the immediate command of Brigadier-General Don Manuel Luis Osorio, its general-in-chief. Although the high contracting parties are agreed in not changing the theatre of the war's operations, nevertheless, in order to preserve the sovereign rights of the three nations, they now agree to follow the principle of reciprocity as regards the chief command of the allied army, so as to provide for any case which might require the war's operations to be transferred to Oriental or Brazilian territory.

ARTICLES 4 and 5 refer to the internal order and regulation as well as pay, etc., of the troops, and the mutual settlement of accounts occasioned thereby.

ART. 6. The allies solemnly bind themselves not to lay down their arms unless by common consent, nor until they have overturned the actual government of Paraguay; neither shall they separately treat of nor sign any treaty of peace, truce, armistice, or agreement whatever to end or suspend the war, except it be mutually agreed to.

ART. 7. As the war is not waged against the people of Paraguay, but against its government, the allies may admit into a Paraguayan legion all the citizens of that nation who may wish to aid in the overthrow of said government, and will furnish them with whatever they may need in the form and under the conditions that shall be agreed upon.

ART. 8. The allies bind themselves to respect the independence, sovereignty, and territorial integrity of the Republic of Paraguay. In consequence, the people of Paraguay shall be enabled to choose whatever government and institutions may suit them, without having to submit, as a result of the war, to incorporation with any of the allies or having to accept the protectorate of any of them.

ART. 9. The independence, sovereignty, and territorial integrity of the Republic of Paraguay shall, in accordance with the preceding article, be guaranteed collectively by the high contracting parties for the term of five years.

ART. 10. It is agreed between the high contracting parties that the exemptions, privileges or concessions which they may obtain from the government of Paraguay shall be common to them all—gratuitously, should they be so obtained, and upon common conditions should they be gotten conditionally.

ART. 11. After the present government of Paraguay shall have been overthrown, the allies shall proceed to make arrangements with the newly-constituted authority in order to secure the free navigation of the rivers Parana and Paraguay, so that the laws or regulations of said republic may not obstruct, impede, or tax the transit across or navigation along said rivers by the merchants or war-vessels of the allied States bound to points within their respective territories, or within territory which may not belong



to Paraguay; and they shall require proper guaranties to secure the effectiveness of said arrangements, but on condition that said arrangements concerning river policy—whether as regards the aforementioned rivers or the Uruguay as well—shall be drawn up in common accord between the allies and whatever other littoral States may, within the period agreed upon by the allies, accept the invitation that may be extended to them.

ART. 12. The allies reserve to themselves the right of concerting the most suitable measures to guarantee peace with the Republic of Paraguay after the overthrow of its present government.

ART. 13. The allies will, at the proper time, name the plenipotentiaries who shall represent them in conference to make whatever agreements, conventions, or treaties may be necessary with the new government that shall be established in Paraguay.

ART. 14. The allies shall exact from said government payment for the expenses caused by this war—a war which has been forced upon them; and also reparation and indemnification for the injuries and wrong done to their public as well as private property, and to the persons of their citizens previous to any express declaration of war; likewise for the injuries and wrongs caused subsequently in violation of the principles that govern in the laws of war. The Oriental Republic of Uruguay shall, moreover, exact an indemnity proportionate to the injuries and wrongs which the government of Paraguay has done her in this war, into which it compelled her to enter for the defence of her rights threatened by said government.

ART. 15 provides for the manner and form of the settlements to be made under the preceding articles.

ART. 16. In order to avoid the discussions and wars which arise out of questions relating to territorial boundaries, it is agreed that the allies shall require of the government of Paraguay to make a special treaty with each one to define their respective boundaries on the following bases:

The Argentine Republic shall be separated from the Republic of Paraguay by the rivers Parana and Paraguay, up to the points where said rivers touch Brazilian soil, such point, in the case of the Paraguay River, being on its right bank at the Bahia Negra.

The empire of Brazil shall be separated from the Republic of Paraguay, on the side of the Parana, by the first river above the falls, called the Seven Cataracts, the line running from the mouth of said river along its whole course to its source; according to the new map of Mouchez, said river is the Ygurey. On the left bank of the river Paraguay it shall be separated by the river Apa, from its mouth to its source. In the interior they shall be separated by the Maracayn range of mountains, the eastern slopes of which belong to Brazil and the western to Paraguay, between the two points at which the shortest straight lines can be drawn respectively from the said range to the sources of the Apa and Ygurey.

ART. 17. The allies mutually guarantee to each other the faithful fulfilment of the agreements, conventions, and treaties that may be necessary to make with the government that is to be established in Paraguay, in accordance with the stipulations of the present treaty of alliance, which shall remain in full force and vigor until those stipulations be respected and fulfilled by the Republic of Paraguay. In order to obtain this result they agree that, in case one of the high contracting parties fails to obtain from the government of Paraguay the fulfilment of its agreement, or that the latter government attempt to annul the stipulations agreed to with the allies, the others shall actively use all their efforts to obtain their fulfilment. Should these be useless, the allies shall join together all their means to render effective the stipulations made with them.

ART. 18. This treaty shall remain a secret until the principal object of the alliance be obtained.

ART. 19. Such stipulations of this treaty as do not need legislative ratification, shall commence to

have effect as soon as they shall be approved by the respective governments, and the remainder immediately after the exchange of ratifications, which shall take place within the period of forty days from the date of this treaty, or before, if possible.

In testimony whereof, etc., in the city of Buenos Ayres, the first day of May, in the year of our Lord 1865.

C. DE CASTRO,  
J. OCTAVIANO DE ALMEIDA ROSA,  
RUFINO DE ELIZALDE.

#### PROTOCOL.

Their excellencies the plenipotentiaries of the Argentine Republic, of the Oriental Republic of Uruguay, and of his majesty the Emperor of Brazil, having convened in the office of Foreign Affairs, have agreed:

1. That in execution of the treaty of alliance of this date, the fortifications of Humaita shall be demolished; and it shall not be permitted to erect others of a like nature that might impede the faithful execution of said treaty.

2. That, it being one of the necessary measures to guarantee a peace with the government which shall be established in Paraguay, there be left in Paraguay neither arms nor munitions of war; such as may be found there shall be divided in equal parts among the allies.

3. That the trophies or booty which may be taken from the enemy shall be divided among the allies capturing the same.

That the commander of the allied armies shall concert the measures necessary to carry into effect what is herein stipulated.

And they signed this protocol in Buenos Ayres, on the 1st of May, 1865.

CARLOS DE CASTRO,  
J. OCTAVIANO DE ALMEIDA ROSA,  
RUFINO DE ELIZALDE.

At the beginning of the year, the allied armies of Brazil, the Argentine Republic, and Uruguay, were mostly concentrated at Paso de la Patria. The iron-clad gunboat Tamandaré, with two small gunboats, were about to leave for Humaita, to reconnoitre that stronghold, hold, and also to make a thorough exploration of the river, in consequence of numberless reports at Buenos Ayres and Montevideo concerning obstructions said to be placed in the Parana river, by order of President Lopez, such as torpedoes, infernal machines, chains, booms, etc.

The estimates of the strength of the allied army differed. According to one account it was as follows: Brazilians, total strength, 30,000; Caceres, Correntino army, 7,000; General Mitre, Argentine, 13,000; General Flores, vanguard, 7,000; total, 57,000.

From later accounts it would seem that the Brazilian force, still close to the bank of the Parana, under General Osorio, mustered 33,000 men. This force was encamped two leagues to the north of Corrientes, at the village of San Cosme. The Argentine consisted of 4,000 men, under General Mitre, at Ensenada, a small place on the Parana, opposite the Paso de la Patria. The Oriental army was composed of one brigade of Brazilians, under Colonel Kelly, and one brigade of Argentines, under General Paunero, and only 1,000 Orientals, the whole commanded by the active and enterprising chief and President Flores. These troops were encamped about five miles to the northeast of San Cosme. On the whole,



this estimate makes out more than 50,000 allies on the banks of the Parana, supported by a fleet of twenty vessels-of-war, including three iron clads.

The accounts of the Paraguayan army were much more indefinite. According to one report, President Lopez was at Humaita, with forces variously estimated. The Paraguayan fleet, consisting of fifteen small steamers and one hundred canoes, was somewhere between Humaita and Tres Bocas. The fortress of Humaita was defended by two hundred guns—some rifled; three chain cables and several infernal machines surrounded with stockades. Small forces were along the Parana, at Ytapiru, Itapua; other detachments at Asmiadu, Coimbra, and Curuniba.

The Brazilian fleet, which was anchored at Corrientes, was composed as follows:

Name.	Guns.	Men.	Name.	Guns.	Men.
Magé.....	6	400	Iguatemy.....	4	275
Beberibe.....	6	400	Ipiranga, light guns	7	250
Amazonas.....	6	450	Recife (?).....	4	250
Belmonte.....	6	400	Brigantine.....	4	100
Paranahiba.....	6	400	Brazil, iron-clad....	4	100
Mearim.....	4	300	Tamandaré.....	4	100
Itahy.....	4	300	Barroso.....	4	100
Itajaby.....	4	300			
Araguary.....	4	275	Total.....	77	4,400

On January 31st, a fight took place between the Paraguayans and the Argentines at Paso de la Patria. A force of Paraguayans, numbering about 600 men, crossed over to the Argentine side. These were promptly reënforced till the total number of the invaders amounted to from 3,000 to 5,000. The Argentine General, Hornos, with only a division of cavalry, met the invaders, when a sanguinary conflict ensued. General Hornos was subsequently reënforced by a Buenos Ayrean division, commanded by Colonel Conesa, and after the fight had lasted some hours, the Paraguayans recrossed, leaving several hundred dead and wounded on the field.

On February 10th, the Paraguayans again crossed the river at Paso de la Patria, with 45 canoes, each with 25 men and 6 oarsmen, all under protection of one steamer. They formed on the beach in good order, and attacked the cavalry of General Hornos, which fled before them. A reënforcement came up and drove them back to their boats. The loss was trifling, but the audacity was great. The skirmish lasted six hours, and 5,000 men were engaged.

On February 17th, three steamers appeared, crowded with troops, who landed about one league north of Paso de la Patria, where they found the abandoned tents and huts of the Paraguayans under General Flores. The latter had gone to defend the little town of Ytati from raids. They burned the tents and huts, enjoyed a kind of picnic, and retired unmoled. On February 20th, they made a similar raid, resulting in the same way.

On March 17th, the Brazilian fleet weighed anchor at Corrientes, and entered the Upper Parana, extending the vessels, on the 21st, from Tres Bocas to the Paraguayan fort of Itapicu at Paso de la Patria. The iron-clad Tamandaré

and the Araguay and Henrique Martins passed higher up, reconnoitring, about eight miles above the pass, seeing only two flats and a steamer lying between the isle and the port, besides a number of canoes full of Paraguayans. The Araguay and the Barroso struck on rocks, and the former was obliged next day to go down to Corrientes for repairs. On the 22d a Paraguayan flying battery opened on the iron-clad Barroso, which made no response. Two gunboats, also, going up to aid the Araguay, were fired at by the fort and armed flats, which expended 49 shots without effect. On the same day the Paraguayan steamer, the Gualeguay, steamed out, but, after a few shots at an Argentine picket on the Corrientes side, took shelter again under the fort. Four of the heaviest Brazilian vessels and the two Argentine armed steamers, together with 3,000 men, remained behind at Corrientes to guard the great depots there from an attack, there being a bayou, named the Atajo, which, leaving the Paraguay above Tres Bocas, came into the Parana below Corrientes, giving passage to light steamers, such as the Paraguayans possess.

On March 21st the fleet, under the command of Visconde Tamandaré, took up its position in front of the Paraguayan territory in two divisions; the first opposite the Paso, and the second at the confluence of the Parana and the Paraguay rivers. The Brazilian admiral, knowing nothing of the different channels of the Parana, it was indispensable to reconnoitre the river for some distance above the ford, and the fortress of Itapicu. Accordingly, different expeditions were organized for this purpose; and several of the vessels of war and row-boats went about sounding within short cannon-shot of the fortress of Itapicu, which opened fire, keeping it up incessantly, without eliciting an answer from the Brazilians, as their object then was to obtain information, and not to fight. On the 23d a more extensive reconnoissance was made by the little steamer Cysne, having on board the admiral, General Mitre, and the Brazilian minister, accompanied by two gunboats and the iron-clad Tamandaré. They ran past Itapicu, receiving the whole fire of its battery, without sustaining any damage, going up to the Parana till within a league of Itati, and seven leagues from its junction with the Paraguay river. From March 23d to 27th, there was continual fighting between Paraguayan flatboats and the Brazilian vessels.

On April 5th, the allies occupied an island in front of Itapicu. General Hornos (Argentine) and General Flores (Uruguayan) moved up above Itati to effect a crossing there. Hornos took four Brazilian regiments, two Argentine, and two rifled cannon. The iron-clads covered the passage of the boats carrying the troops, and they also used the shelter of the island. During this time Fort Itapicu kept up a steady fire on all in its range. The Duque de Saxe was hit below the water-line, and filled with water, but was saved. Earthworks were soon thrown



up, and the fire from the fort did the garrison but little harm. On April 10th, a Paraguayan force, under Captain Romero, attempted to recapture the island, but nearly the whole force perished in the attempt. Captain Romero himself was taken prisoner. According to an Argentine account, the losses of the Paraguayans consisted in 800 muskets, 650 corpses on the field, 200 drowned, 30 canoes, much ammunition, and 30 prisoners, including the chief of the expedition. The allies lost 149 men, among them Major Sampalo and Lieutenant-Colonel Cabrita.

On the 16th the Brazilians, consisting of about 10,000 men, with the first corps of the Argentines, numbering about 5,000, crossed the river, and landed in Paraguay; not at the Paso de la Patria, as first intended, but at the extreme corner of Paraguay, at the junction of the Parana with the Paraguay River. This movement was made under the command of the Brazilian General Osorio. On making good his footing, the general's first step was to direct a reconnoissance to be made toward the east, in the direction of Itapicu, at the Paso de la Patria. The force detailed for this duty had an encounter with the Paraguayans, who scarcely mustered three battalions. Beaten in this first encounter, the Paraguayans fell back, but rallied at intervals during the day, and each time they were repulsed with greater or less loss. On the 17th the allies again advanced, and having come up with the enemy in the rear of Itapicu, were attacked by them with about 3,500 men, who were entirely routed, leaving about 400 killed; but, as usual, very few wounded and prisoners, two eighty-pounders, and one flag. The fleet contributed largely to the victory, which resulted in the entire demolition of the fortress of Itapicu, and the complete possession of the Paso de la Patria, where the rest of the army, baggage, etc., crossed unopposed on the 20th and the two following days. The Paraguayan camp having been reconnoitred, and it having been ascertained that there were 60 pieces of artillery placed to defend the fortifications, preparations were made to assault it, but on the morning of the 22d flames were seen issuing from it, and on General Netto's cavalry brigade advancing and entering the camp, it was found that the Paraguayans had abandoned it, after removing every thing of value, and setting fire to the buildings inside. Soon, however, it appeared that the Paraguayans had retreated to a better position, where they awaited the attack of the allies.

On May 2d, the Paraguayans, some 8,000 strong, advanced on General Flores, and attacked his position. Lopez in person was in command. As the Paraguayans were four to one, the fight was soon decided; some 1,600 men and 31 officers of Flores were soon *hors de combat*. Flores acted with the greatest bravery, but the weight of the enemy was too great, and the allies had to fall back with great loss. The artillery of Flores was captured, and the allied army was in great danger, when the Brazilian

General Osorio rushed to the aid of Flores with the regiment of the Voluntarios de la Patria, the best Brazilian soldiers in the field, who charged under a cruel fire, and cut through a solid square of the enemy. Flores was thus saved; but the heroic band of Brazilians, which entered the fight several hundred strong, was reduced to 41 men. The Paraguayans finally had to fall back, and in their retreat suffered a terrible loss. The allies acknowledged a loss of 1,500 men placed *hors de combat*, while they asserted that the loss of the Paraguayans exceeded 2,000.

One of the greatest battles of the war was fought on the 24th of May in the field of Tuguitz. The Paraguayans commenced the attack with 13,000 infantry and 8,000 cavalry, with desperate fury. After four hours and a half of fighting, they were repulsed at every point of the allied lines, which they had attacked in four columns, supported by reserves, with the intention of turning the flanks of the enemy. This victory was chiefly due to the Oriental army and two divisions of the Brazilian, together with one regiment of the Argentine contingent, under the immediate command of General Flores, occupying the centre, and to the Brazilian troops on the left, under the command of Marshal Osorio. The right was held by the Argentine army, under General Paunero, with Colonel Rivas leading the van—Generals Emilio, Mitre and Hornos covering it with their respective forces. More than 4,200 of the enemy's dead, abandoned on the field in his flight; 370 prisoners, the greater part of whom were wounded; 4 brass pieces of artillery; 5 standards; 3 colors; 12 drums; 15 bugles; 4,700 muskets, more than the third of which were flint-lock pieces; over 400 carbines; 300 sabres; 200 pikes, and 50,000 rounds of ball cartridge, together with many other spoils, were captured by the allies in this battle. On the side of the allied armies the total losses amounted to 672 killed, and 2,645 wounded. Of these the Brazilian contingent lost 413 killed, of which 29 were officers—two of them being corps commanders—and 2,090 wounded, of whom 183 were officers, including one general. Of the Argentine troops, 126 were killed, of whom 4 were generals, and 7 officers, 480 were wounded, including 2 generals and 35 officers. The Oriental troops lost 133 in killed, of whom 12 were officers, and 163 wounded, including 17 officers. The Paraguayans retired to their camp, and the position of the two armies remained as before. President Lopez, in an official report of the battle, deemed it as a great victory, and represented the losses of the allies as much greater than his own.

On June 14, the Paraguayans made a fierce attack on the allies, and poured a series of 68 and 110-pound shot right into their camp. At noon a rocket went up as a signal, and all along their line they opened in full range on the allied tents. At first the firing was a little wild, but they soon found the range, and in the course



of the day 3,000 balls fell in and near the defenceless men. They had no guns of calibre and range to answer. Tents and baggage were burned, but the magazine escaped. The casualties were estimated at 100 among the allies.

On the 12th and 18th of August, conferences of the commanders of the allied armies took place, at which it was resolved to attack simultaneously by the whole of the allied forces. On Sept. 1st, the allied fleet steamed up the river, having on board Porto Alegre's forces, consisting of 7,000 men, the leading vessel being the iron-clad Rio de Janeiro. Soon after the fleet began to move a heavy fire from a masked battery—Curuzú—one and a half miles below Curupaity, was suddenly opened on the foremost vessels. On the 2d, the fire from the battery was renewed, and was quickly answered by all the vessels abreast the battery. Between 3 and 4 P. M., the battery having slackened its fire, the troops landed, under the fire of the gunboats, and, amidst the most enthusiastic *vivas*, with fixed bayonets, stormed the battery, driving out the Paraguayans and taking it in a few minutes. The Paraguayans, however, carried off three of their guns with them. The number of guns said to have been captured is nine. This affair is supposed to have cost the Baron Porto Alegre, 1,300 men—placed *hors de combat*—a dear purchase for apparently so small an advantage. Among the casualties on the Brazilian side in this equivocal victory was the blowing up of the iron-clad Rio de Janeiro by a torpedo. Nine pieces of cannon, arms, munitions, etc., and three flags, remained with the victors, whose losses in this short affair of one and a half hour, were nearly 200 killed and 800 wounded; that of the Paraguayans, who had about 3,000 engaged, being supposed much greater, as it is officially stated that over 700 of their dead were buried by the Brazilians after the capture of the redoubt.

On the 12th of September, a conference was held between President Lopez and President Mitre, but it led to no result, and hostilities were not discontinued. On the 22d of September, two divisions of the fleet ascended the river to attack the fortress of Curupaity, which was garrisoned by 15,000 men, and mounted with 56 pieces of artillery. They bombarded the fortress for four hours, but only succeeded in dismounting three of the Paraguayan guns. The iron-clads Tamandaré, Barrozo, and Brazil, were ordered to advance and force the palisade, forming an obstruction to the approach to the enemy's works. The attempt was successful, and the three vessels closed up to within sixty fathoms of the enemy, pouring in an incessant fire of shot and shell, which was gallantly returned by the Paraguayans, to the great damage of the vessels thus engaged. The land forces, under command of General Mitre, soon after the attack by river commenced, issued from Curuzú, and assaulted the first line of entrenchments, close to Curupaity, carrying it in quick time, the Paraguayans withdrawing with all

their artillery to Curupaity proper. The allies advanced immediately, and found that, to reach Curupaity from the line just taken, it was necessary to cross a swamp and destroy the defensive works that the Paraguayans had made there. Many attempts were made by the allies to cross, waist-deep in water, during which time, about one hour and a half, they displayed great valor; but all to no purpose, exposed as they were to an incessant fire of shot and shell. They were at last compelled to retreat, with a loss of about 5,000 men, mostly killed, among whom were a large number of officers.

The defeat of the allies before Curupaity, put an end to active operations for the year 1866. General Flores with the small remnant of the Urugayan army returned to Montevideo. President Mitre evacuated Curuzú, and left with the rest of his army for Tuguitz. The Brazilian fleet which was stationed at Curuzú, remained inactive. On Oct. 14th, 2,000 Paraguayans attempted a *coup de main* against Curuzú, but it was unsuccessful. It was thought that Uruguay would be unable to continue the war, but the other States made great preparation for resuming warlike operations in 1867. President Lopez profited by the respite to render his position stronger in Curupaity, by making abattis at all the points of easier access, and mounting a new battery of 30 heavy guns facing the river. It was the opinion of many foreign and native officers that Curupaity cannot be taken without a great sacrifice of lives. The army and the people of Paraguay were reported to have an unshaken confidence in President Lopez.

PARISIS, Monseigneur PIERRE LOUIS, Bishop of Arras, France, born at Orleans in 1795; died at Arras, March 5, 1866. After passing through the usual preparatory course in the ecclesiastical seminary of his native city, he was ordained priest in 1819. He subsequently taught rhetoric in several of the seminaries of his diocese; was appointed vicar of St. Paul d'Orleans, and soon after curé, or parish priest of Gien. In 1834, his zeal, piety, and learning, having attracted the attention of his superiors, he was raised to the episcopacy and appointed to the diocese of Langres, in the department of the Haute-Marne, and in 1851 was translated to Arras. In 1853 he was named by the Emperor officer of the Legion of Honor. For some time he took a prominent part in the political affairs of the country, and in the first election after the proclamation of the Republic in 1858 he was chosen a member of the Constituent Assembly, and soon after was made President of the Committee of Public Worship. After the *coup d'état* of 1851, he retired from political life and confined himself to his episcopal duties and occasional composition. Among his published works are "Letters to M. de Broglie, also to Thouvenel and Salvandy," "Inquiry concerning the Liberty of the Church," "Impieties and their Tendencies," "Demonstration of the Divinity of Jesus Christ," and "Freethinkers disavowed by Common Sense," written in re-



ply to the doctrines of the Renan school; and some works on the Liturgy.

PASSMORE, Rev. J. C., D. D., an Episcopal clergyman and educator, born at Lancaster, Pa., about 1826; died at Racine, Wis., August 12, 1866. He was a descendant of Rev. S. Cook, a missionary of the "Venerable Society for the Propagation of the Gospel," Shrewsbury, N. J., in 1776, was educated at Dr. Muhlenberg's school, Flushing, N. Y., studied law, and removed to Vicksburg, Miss. At the age of twenty-six, Dr. Passmore was elected to the Professorship of Rhetoric and Philosophy in the College of St. James, Maryland, where he remained as professor and vice-rector for eighteen years. A year after his election he was ordained priest, and assumed the charge of a small parish, which he held while he remained at the college. In 1862 he removed to Racine, where he discharged the duties of a similar professorship, and likewise had the charge of the parish of St. John, at Elkhorn. To a deep and varied intellectual culture he added the ornament of a singularly pure and modest life. He made, from time to time, various contributions to church periodicals, among which were translations of some of Keble's admirable "Prælectiones," or Latin Lectures on Poetry, delivered at Oxford. He published an edition of Bishop Butler's Sermons, to which he prefixed an able and appreciative paper upon this, his favorite author, with whose philosophy he was thoroughly conversant.

PENNSYLVANIA. The Legislature of Pennsylvania met at Harrisburg, January 2d, and continued in session until April 15th. Two thousand and three bills were reported and acted upon, and of these at least two-thirds became laws. While the greater portion of this legislation was of a local character, some laws of a general nature placed upon the statute-book were very important. Among these was the bill repealing the tax of two and a half mills upon real estate, designed to relieve the laboring portion of the people. To meet the deficit in the revenue thus created, a tax was levied upon railroad stock, bank capital, and the gross receipts of railroad, canal, and transportation companies, which is believed will add more to the income of the treasury than the tax on real estate. Another bill provided for the restoration of the fisheries in the Susquehanna River, which had been almost destroyed by the operations of the Tide-Water Canal Company, a corporation entirely in the interest of the stockholders residing without the State. In an economical view this bill was regarded as one of the most important of the session, as it not only gave practical effect to the interests of the people, but promised, in a few years, to create revenues by which the State will be largely profited. Provision was made in another enactment for the education of the soldiers' orphans at the public expense. The Legislature also appropriated \$500,000 for the relief of the people of Chambersburg, whose

property was burnt by the Confederates in July, 1864. The bill, making this appropriation, provided that three commissioners should be appointed, who should make just and true appraisement of the damages to both real and personal estate suffered by the people of Chambersburg, and then award the losses actually sustained. As soon as these duties were finished the commissioners were required to make return to the auditor-general of the awards rendered, and when such return was filed, the appropriation was to be apportioned to the awards *pro rata*, by the auditor, and his warrant drawn upon the treasurer, in favor of the persons to whom the awards had been made.

On March 2d the following resolution was adopted by a strictly party vote:

*Whereas*, Hon. Edgar Cowan, Senator of the United States from the State of Pennsylvania, has not represented and does not now represent truly the majority of the people of the patriotic State that elected him, in the paramount national issues growing out of the recent rebellion; therefore,

*Resolved*, That the Hon. Edgar Cowan, Senator of the United States from the State of Pennsylvania, be and hereby is requested to resign.

On March 26th the following resolution in reference to the Civil Rights bill passed by the Congress of the United States, was adopted in the Senate:

*Resolved*, By the Senate of Pennsylvania, that we cordially indorse this great measure of justice to all classes of the people of the South, which, carried fully into effect, will give full protection and ample security to all the rights of the citizen, and thus demonstrate that the national Government is not only determined to maintain the Union unimpaired, but to exert its power to do full and ample justice to every freeman as "the ruling principle which should guide the deliberations of every public body, whether it be State or national."

A bill was also passed disfranchising deserters from the army. Its first section provides "that in all elections hereafter to be held in the Commonwealth, it shall be unlawful for the judge or inspectors of any such election to receive any ballot from any person embraced in the provisions, and subject to the disability imposed by the act of Congress of March 3, 1865." Section two enacts, "that any judge or inspectors of elections receiving such unlawful ballot shall be guilty of a misdemeanor, and upon conviction thereof, shall pay a fine of not less than one hundred dollars, and undergo an imprisonment in the county jail for not less than sixty days."

It is made the duty of the Adjutant-General of the State to procure from the proper officers of the United States certified copies of all rolls and records containing official evidence of the fact of the desertion of all persons who were citizens of Pennsylvania, and who were deprived of citizenship by the said act of Congress, and to furnish true copies thereof to the clerks of the several courts of Quarter Sessions. A certified copy or extract of any such record from the clerk of a court, shall be *prima facie*



evidence before any election board of the fact of desertion, and consequent disqualification as an elector. In a test case, under this law, before the Supreme Court of the State, it was decided that the judges of elections could not refuse a man's vote until he had been tried and convicted of desertion; but two of the justices, on the contrary, held that the judges of elections were the proper persons to decide the question.

The Democratic State Convention met at Harrisburg, March 5th, and adopted the following resolutions:

1. That the States whereof the people were lately in rebellion are integral parts of the Union, and are entitled to representation in Congress by men duly elected, who bear true faith to the Constitution and laws; and in order to vindicate the maxim that "taxation without representation" is tyranny, such representation should be forthwith admitted.

2. That the faith of the republic is pledged to the payment of the national debt, and Congress should pass all laws necessary for that purpose.

3. That we owe obedience to the Constitution of the United States, including the amendment prohibiting slavery, and under its provisions will accord to those emancipated all their rights of person and property.

4. That each State has the exclusive right to regulate the qualifications of its own citizens.

5. That the white race alone is entitled to the control of the government of the republic, and we are unwilling to grant to negroes the right to vote.

6. That the bold enunciation of the principles of the Constitution, and the policy of restoration, contained in the recent annual and Freedmen's Bureau veto message of President Johnson, entitles him to the confidence and support of all who respect the Constitution and love their country.

7. That the nation owes to the brave men of our army and navy a lasting debt of gratitude for their heroic services in defence of the Constitution and Union; and that while we cherish with a tender affection the memory of the fallen, we pledge to their widows and orphans the nation's care and protection.

8. That we urge upon Congress the duty of equalizing the bounties of our soldiers and sailors.

A vote was then taken for a candidate for Governor, and Heister Clymer was declared the nominee of the convention.

The Union State Convention met March 7th. Gen. John W. Geary was unanimously nominated as the choice of the Convention for Governor, and the following were some of the resolutions adopted:

2. That the most imperative duty of the present is to gather the legitimate fruits of the war, in order that our Constitution may come out of the rebellion purified, our institutions strengthened, and our national life prolonged.

3. That failure in these grave duties would be scarcely less criminal than would have been an acquiescence in secession and in the treasonable machinations of the conspirators, and would be an insult to every soldier who took up arms to save the country.

4. That, filled with admiration at the patriotic devotion and fearless courage with which Andrew Johnson resisted and denounced the efforts of the rebels to overthrow the national Government, Pennsylvania rejoiced to express her entire confidence in his character and principles, and appreciation of his noble conduct, by bestowing her suffrage upon him for the second position in honor and dignity in the country. His bold and outspoken denunciation of

the crime of treason, his firm demands for the punishment of the guilty offenders, and his expressions of thorough sympathy with the friends of the Union, secured for him the warmest attachment of her people, who, remembering his great services and sacrifices, while traitors and their sympathizers alike denounced his patriotic action, appeal to him to stand firmly by the side, and to repose upon the support of the loyal masses, whose votes formed the foundation of his promotion, and who pledge to him their unswerving support in all measures by which treason shall be stigmatized, loyalty recognized, and the freedom, stability, and unity of the national Union restored.

5. That the work of restoring the late insurrectionary States to their proper relations to the Union necessarily devolves upon the law-making power, and that until such action shall be taken no State lately in insurrection is entitled to representation in either branch of Congress; that, as preliminary to such action, it is the right of Congress to investigate for itself the condition of the legislation of those States, to inquire respecting their loyalty, and to prescribe the terms of restoration, and that to deny this necessary constitutional power is to deny and imperil one of the dearest rights belonging to our representative form of government, and that we cordially approve of the action of the Union representatives in Congress from Pennsylvania on this subject.

6. That no man who has voluntarily engaged in the late rebellion, or has held office under the rebel organization, should be allowed to sit in the Congress of the Union, and that the law known as the test oath should not be repealed, but should be enforced against all claimants for seats in Congress.

7. That the national faith is sacredly pledged to the payment of the national debt incurred in the war to save the country and to suppress rebellion; and that the people will not suffer this faith to be violated or impaired; but all debts incurred to support the rebellion were unlawful, void, and of no obligation, and shall never be assumed by the United States, nor shall any State be permitted to pay any evidences of so vile and wicked engagements.

15. That in this crisis of public affairs, full of grateful recollections of his marvellous and memorable services on the field of battle, we turn to the example of the unfaltering and uncompromising loyalty of Lieutenant-General Grant with a confidence not less significant and unshaken, because at no period of our great struggle has his proud name been associated with a doubtful patriotism, or used for sinister purposes by the enemies of our common country.

17. That the Hon. Edgar Cowan, Senator from Pennsylvania, by his course in the Senate of the United States, has disappointed the hopes and forfeited the confidence of those to whom he owes his place, and that he is hereby most earnestly requested to resign.

The following resolution was offered as a substitute for the fourth resolution, but after some discussion was withdrawn:

*Resolved*, That, relying on the well-tried loyalty and devotion of Andrew Johnson to the cause of the Union in the dark days of treason and rebellion, and remembering his patriotic conduct, services, and sufferings, which in times past endeared his name to the Union party; and now reposing full confidence in his ability, integrity, and patriotism, we express the hope and confidence that the policy of his administration will be so shaped and conducted as to save the nation from the perils which still surround it.

The fourth resolution was then adopted—yeas 102, nays 21.



On July 18th a mass convention of the Democracy of Central and Eastern Pennsylvania was held at Reading. About thirty counties were represented by delegations numbering from one hundred to fifteen hundred, and amid much enthusiasm the following, among other resolutions, were adopted:

*Resolved, by the Democracy of Eastern and Central Pennsylvania, in mass convention assembled,* That the contest upon which we are now entering is simply whether the Federal Union, under the Constitution, as adopted and construed by its illustrious authors, with the reserved rights of the States unimpaired, shall continue to be our form of government, or whether we shall have forced upon us, by Congressional usurpation and revolutionary action a central consolidated government, bound by no constitutional restraints, and in which the liberties of the people would be at the mercy of a bare majority of Congress, controlled by a self-constituted and irresponsible central directory.

*Resolved,* That the Democratic party are now, as ever, the only true Union party of the land; that we point with pride to the unselfish and untiring efforts made by all Democrats and Conservatives in and out of Congress, to preserve the Union before the war commenced, by conciliation and compromise, the only means by which it was formed, and without which it will never be more than a name; that the refusal of the Republican party to yield their partisan prejudices for the sake of peace and union was the immediate cause of the war, and posterity will hold them responsible.

*Resolved,* That we hold all departments of the government to its official and solemn declaration that the war was not prosecuted for any purpose of conquest or subjugation, but to maintain the supremacy of the Constitution, and to preserve the Union with all the dignity, equality, and rights of the several States unimpaired; that the war having ended by the surrender of the rebel armies, the people of the South are subject only to such penalties as the Constitution of our common country, and the laws passed in pursuance of it, may prescribe, and are entitled to all the rights which that constitution insures to all the people of all the States.

*Resolved,* That we are opposed to negro suffrage, believing that the white men of America are able to govern themselves without the aid of an inferior race, and that we disapprove of the amendment to the Constitution, it being nothing but the offer of a reward to the States for granting negro suffrage, and the threat of a punishment in case of refusal.

The financial condition of the State indicates its growing prosperity and immense resources. The total receipts into the treasury during the fiscal year ending November 30th, including the balance of the previous year of \$2,373,668.14, were \$8,203,336.68. The payments of the year were \$6,462,303.41.

The public debt at the same date amounted to \$35,622,052, and the assets in the treasury were \$13,086,033.27.

Liabilities in excess of assets, November 30, 1861.....	\$28,148,060.36
Liabilities in excess of assets, November 30, 1866.....	22,536,018.89
Improvement in treasury since 1861...	\$5,612,041.47

The extraordinary expenditures during the war, and since its close, in payments growing out of it by authority of acts of Assembly, have amounted to upward of five millions of dollars, which, added to the actual payment of

the indebtedness of the State, and money in the treasury for that purpose, shows the revenues, above the ordinary expenditures, to have amounted to \$10,612,000, which would all have been applied to the payment of the debt of the Commonwealth in the last six years.

A wise economy in expenditure will insure the entire payment of the public debt within the period of fifteen years.

The cause of public education is attracting increased attention. The common-school system of the State has been less efficient than that of many other States, and less ably sustained than the means of the people would warrant; but it has succeeded well amid many difficulties, and is becoming more and more popular with the people. The State grants liberal aid by annual appropriations; county superintendents have exercised a salutary supervision over teachers and school-houses, elevating qualifications of the former, and increasing the comfort and suitableness of the latter. There are three normal schools, which have been well sustained, in fact filled to their utmost capacity. A fourth was established in September. To each of these schools the State appropriated \$15,000, in instalments of \$5,000.

The following statistics give the result of the administration of the system in the whole State, including the county and city of Philadelphia:

Whole number of schools in 1866.....	13,146
Whole number of teachers.....	16,141
Whole number of pupils.....	725,312
Average attendance of pupils.....	478,066
Total cost of tuition.....	\$2,743,795.08
Total cost of fuel and contingencies in 1866.....	\$639,385.98
Total cost of system in the whole State, including taxes levied and State appropriation in 1866.....	\$4,195,258.57

The amount appropriated by the State for the support of the schools was \$354,435. The law does not allow children to enter the schools until they have arrived at the ages of six years, and each school must be opened four months in the year.

That this period is considered too short is emphatically shown by the following extract from the annual report of the State superintendent: "A large proportion of the children of the Commonwealth receive all the scholastic education they have at the common schools. If then they can have but four months' school in a year, and they attend the whole of that time each year, between the ages of six and twenty-one years, they will enjoy the privileges of the school but sixty months, and these months extend over fifteen years. In other words, they will attend school five years in fifteen, provided they attend the whole four months each year. In this way, a child attends school four months, and then remains at home eight, during which time he forgets fully one-third of what he learned in the four, so that so far as progress is concerned, he has but about two and two-thirds months' schooling in the year. This estimate is based upon the understand-



ing, that the scholars attend the schools until they are twenty-one years old, and go steadily whenever the schools are open. This is far from being the fact. But very few of those who attend the common schools are found in school after they are eighteen years old, and the great majority leave school entirely by the time they are sixteen, and while thus attending, are absent from the school-room nearly one-third of the time."

At the election in October, the entire vote for Governor was 597,370. John W. Geary was elected by a majority of 17,178. The delegation in Congress is composed of 18 Republicans, and 6 Democrats. The Legislature is divided as follows: Senate—21 Republicans, 12 Democrats; House—62 Republicans, 8 Democrats.

PERU, a republic in South America. President (1866–1872), General Mariano Ignacio Prado. Area, 508,906 square miles; population, in 1860, 2,065,000. The army of the republic, in 1866, was composed as follows: infantry, 8,400 men; cavalry, 1,200; artillery, 1,000; *gendarmerie*, 5,408; total, 16,008. The Peruvian navy consisted, in the summer of 1866, of 1 iron-clad frigate, called the *Independencia*, 2 other steam frigates (*Apurimat* and *Amazonas*), 3 corvettes and a brig, armed in the aggregate with 110 guns. The *Independencia*, built at Poplar, London, has a stem constructed as a ram, and the armament consists entirely of Armstrong's guns on the shunt principle, viz., 12 70-pounders of 4 tons each on the main deck, and 2 pivot-guns, 150 pounders, weighing 7 tons each, on the upper deck. These latter guns can be used on a line even with the keel. The value of imports, in 1865, amounted to about 35,000,000 and of exports to 40,290,048 dollars. The number of vessels entering the ports of the republic, in 1865, was 1,436, of an aggregate tonnage of 936,977, and the number of clearances 1,316, of an aggregate tonnage of 844,771.

In December, 1865, a defensive and offensive alliance was concluded between Peru and Chili, which the dictator, General Prado, by a decree, dated January 14, 1866, announced to the nation.\* The naval squadron of Peru left at once to join that of Chili. The first operations of the Spaniards were directed against Chili, and ended in the bombardment of the city of Valparaiso. (*See CHILI*.) On April 14th, the Spanish squadron, including the *Numancia*, *Villa de Madrid*, *Almanza*, *Blanca*, *Resolucion*, *Berenguela*, *Vencedora*, the transports *Uncle Sam*, and *Paquete de Mauley*, and a store-ship, left Valparaiso for Callao, where they appeared during the forenoon of the 25th. An immediate attack being apprehended, all the merchant vessels, about 150 in number, hauled out of the way, and nothing remained in the harbor except the men-of-war and a few English steamers, which retained their positions until the morning of the attack. The Spanish

admiral, Nuñez, at once issued a manifesto announcing that the port would be blockaded from the 27th, and that neutral vessels would have six days in which to clear with their cargoes. Four days were given in which to remove private property, and the women and children from the city, and after that date no vessel would be permitted to communicate with the shore, with the exception of foreign men-of-war.

Callao was not as unprepared for the bombardment as Valparaiso. For a long time past the Peruvians had been fortifying to the northward and westward of the city. The works had been planned and carried to their present condition by competent engineers, and they had imported the most approved and heaviest ordnance. The defences of the city were as follows:

#### BATTERIES TO THE WESTWARD.

No. 1—Eight 32-pounders, facing the bay of Bellavista.

No. 2—Six 32-pounders, smooth bore.

No. 3—Two 300-pounders, Armstrong rifles.

No. 4—Six 32-pounders, smooth bore.

No. 5—Two 450-pounders, Blakely rifles; one 8-inch rifle; five 24-pounders, smooth, and one 32-pounder.

No. 6—Five 32-pounders, smooth bore.

#### BATTERIES TO THE NORTHWARD.

No. 7—One 450-pounder, Blakely rifle.

No. 8—Two 450-pounders, Blakely rifle.

No. 9—Two 300-pounders, Armstrong rifle.

#### FORCES AFLOAT.

Steamer *Loa* (iron-clad)—Two 8-inch guns.

Monitor *Victoria* (iron-clad)—One 8-inch gun.

Three wooden gunboats, mounting five guns it all, 32 and 24-pounders.

Thus it will be seen that, although the number of guns was small in comparison with the broadsides of the heavy frigates, still their calibre was of a character to inspire confidence.

The first of May was the day appointed for the bombardment, but as it was so foggy on that day, that nothing could be distinguished with certainty for any length of time, the Spanish commander adjourned the attack to the next day (May 2d), when there was nothing to prevent an engagement on the part of the weather. The following account of the battle is condensed from the correspondence of an eye-witness in the *New York Herald*:

At eleven A. M., signal was made from the *Numancia*, flag-ship, to get under weigh. Soon after, the six frigates, with steam up and topmasts and lower yards down, tripped their anchors and formed line of battle in two columns of attack. The column to engage the northern forts consisted of the *Villa de Madrid*, *Almanza*, and *Berenguela*, the latter leading. Those destined to play their part on the western forts were the *Numancia*, *Blanca*, and *Resolucion*. The northern column moved into action heading to the southward and westward, while the southern column headed to the eastward and northward, the gunboat *Vencedora* taking position between the two columns, in order to render assistance in the event of any ship being disabled in either line.

At ten minutes past twelve the first shot was fired from battery No. 2 at the *Numancia*, and was replied to at once by that ship. Not more than five minutes elapsed before the action became general with both divisions of the fleet, that to the northward timing so as to be behind the western column. The

\* See the substance of the treaty in *ANNUAL CYCLOPEDIA* for 1865.



fring from the ships was very rapid, too much so, indeed, for it was wild, and gave evident proof that the captains of the guns were not as deliberate in their aim as they might be. The fire from the batteries was at first slow and inaccurate, but they soon began to get the range, and their heavy shot was seen to tell on more than one ship. In less than half an hour after the action commenced, the Villa de Madrid made a signal, evidently asking assistance; the little Vencedora went in and towed her out of the fire, and as she came in plain view it was evident that her motive power had been deranged, for the steam was seen issuing in clouds from every part of the vessel.

The next ship to retire was the Berenguela. She moved out slowly about twenty minutes after the Villa de Madrid. This ship had been receiving a heavy fire from batteries 8, 9, and 10, and a cross-fire from battery number 5. As she passed the United States ships it was noticed that she had received a heavy rifled shot on the port side, near the water line, which had passed completely through her, coming out at or under the water line on the starboard side, rendering it necessary to careen her to prevent sinking. As it was, she had taken in a vast quantity of water, so that when out of range, and anchored, not only were the pumps necessary to keep her free, but the crew were employed in bailing with buckets. She did not go into action again.

The action continued with great spirit by both the batteries and remaining ships. At half-past two the Blanca and Resolucion retired to repair some injuries, but soon returned to their positions, when all remained until the fight was over, except the two first mentioned.

Soon after the commencement of the fight battery No. 3, containing two three-hundred-pounder Armstrong rifles, was blown up, dismounting the guns and killing and wounding every one in the vicinity. In battery No. 7 the three-hundred-pounder Armstrong was dismounted at the first fire; but besides these casualties there was nothing to diminish in any way, or slacken in the slightest degree, the heavy and well-directed fire of the Peruvians, which was becoming more and more fatal and destructive every moment. The Spaniards soon began to find out that the game was not their own; that they had caught a Tartar not bargained for, and it was manifest to all that they must soon back out badly defeated. At fifteen minutes past five the Spaniards ceased firing and stood out of range, the batteries peppering away until the Dons were out of reach. The last gun was fired a few minutes before five o'clock by the monitor Victoria, thus ending an action entailing a disgrace upon Spain greater, if possible, than her defeat at San Domingo. The dictator, Prado, was here, there, and everywhere, superintending permanently the serving of the guns. Nothing reliable is known of the exact number of killed and wounded on either side. The Peruvian Secretary of War, Señor Galvez, was killed in battery No. 3, when it was blown up. The wounded on shore, as fast as they fell, were carried to the rear and sent to the hospital at Bellavista. Those whose friends resided at Lima were sent to the city to be placed in charge of those who would care better for them than if they had remained at Bellavista to take the chances. The most reliable information had, at the time the Vanderbilt sailed, was that the Peruvians had lost sixty killed and about one hundred and seventy wounded.

Nothing is known as to the loss on board the Spanish fleet, but, bored as their ships have been, the number of casualties must necessarily be very heavy. Admiral Nuñez is reported to have received no less than eight wounds and confusions; one in the head pronounced severe. Our surgeons, who offered their services to both parties alike, were not allowed to see him, and indeed it was evident that they wished to conceal, as far as possible, the number of men that had been placed *hors du combat*, and the condition of

the ships. By the shot that disabled the steampipe of the Villa de Madrid eighteen men were killed and twenty-one wounded; so, taking the mischief done by one projectile, we may be safe in judging the Spanish loss as far in excess of that of the Peruvians. Doctor Peck, of the Vanderbilt, when he went alongside the Villa de Madrid, counted eight shot holes in her sides. This was doing well considering the time she was under fire. The Blanca was struck over forty times, and the Almanza and Berenguela suffered almost as much. The Resolucion was hit very often—possibly as many times as the others. The Numancia came off very well, being iron-clad; but one eight-inch rifled projectile, from battery No. 5, pierced her five-and-a-half-inch iron plating and went partly through the wooden backing. She was brought so as to receive the fire at an angle; hence her plating caused the shot to glance. The Vencedora was uninjured.

The Spaniards did not renew the fight, and their operations against the allied republics ceased for the remainder of the year (*see SPAIN*). The government of Peru, however, continued to fortify the ports of Callao and Arica. On this subject the *Nacional* of Lima remarked:

In Callao and Arica our fortifications are greatly improved. The Government takes the greatest pains to put them on a footing according to the rules of modern military art. The system of low batteries, which proved to us so beneficial in the battle on the 2d of May last, has been thoroughly examined; such defects as had been found in them removed, and the number of guns increased. M. de Mahieux, a distinguished Belgium military engineer, is among us, and this gentleman, besides his scientific knowledge, has the necessary experience, acquired in some of the European fortifications. Said gentleman has just visited the principal fortresses in the United States, and has thus been able to compare the European system in military art to the progress made by the great republic. M. de Mahieux has been called by the Peruvian Government, who is proud of having made such an acquisition. There is not the least doubt that Callao, within a very short time, will be one of the best strongholds, capable of making resistance to the most powerful fleet.

In July the government appointed John R. Tucker, formerly an officer in the Navy of the Confederate States, as Admiral of the Peruvian Navy. The new admiral at once proceeded to join his vessels, which were then in the Chilean waters, but, on his arrival at the place of his destination, a large number of the Peruvian officers refused to recognize him. The refractory members were, however, promptly arrested and the command assumed by Admiral Tucker.

The government of the dictator continued to inaugurate reform movements. A thorough system of home taxation was initiated, and the revenue from this source and from duties was to be made to meet the current expenses, while the foreign loans negotiated on the bases of the guano deposits were to be set apart for internal improvements and other great national objects. Steps were also taken to foster the interests of literature. Four prizes, of \$1,250 each, are to be awarded annually to such citizens as shall produce the best works upon subjects to be decided by the faculties of the universities, and one prize of \$25,000 is to be given on the 29th of July, 1876, to the author, whether native or



foreign, of the best social, political, and literary history of Peru.

On September 6th a decree was issued against smuggling, a practice notorious at the chief port of the republic. In future no agent can dispatch goods without giving security in Callao for \$10,000, and \$5,000 in the minor ports. The security is forfeited in the event of the agent or any of his clerks attempting to defraud the revenue.

Besides the rebellious attempt, already referred to, by the naval officers who refused to recognize Admiral Tucker, several other insurrectionary movements were made, but none with any permanent success. Thus, on September 11th, Colonel Balta and several others were apprehended and imprisoned for being actively engaged in secreting arms and ammunition, and otherwise fostering a spirit of disaffection which was to have culminated in a grand uprising at some future day. In November the troops stationed in the Chincha Islands became mutinous, and in the *melée* the captain of the troops was wounded in the left side and arm, one of the non-commissioned officers was shot through the neck, and a private received a severe wound in the knee. At one time matters looked very serious, and, but for the coolness and good sense of Colonel Savala, who addressed the mutineers, would doubtless have assumed very grave proportions.

An election for President was held in October, when the dictator was chosen almost without opposition. Of the two opposing candidates, one, Colonel Balta, was at the time a prisoner in the castle of Callao, for having taken part in an insurrectionary movement; and the other, General Machuca, had for the same reason been sent into Bolivia in exile. The vote cast was very light.

PHOTOGRAPHY, CHROMO. Mr. G. Wharton Simpson, editor of *The Photographic News*, has published an account of an experiment in this branch of photographic science. He first prepared a quantity of collodio-chloride of silver, to one ounce of which he added about two grains of chloride of strontium and four grains of nitrate of silver. A plate of opal glass was coated with this, dried before a fire, and exposed to diffused daylight until it became of a deep lavender-gray color. When the plate had assumed this tint, a piece of deep ruby glass, a piece of bright orange-red glass, and a piece of "patent white plate," having a small quantity of concentrated solution of aniline green poured upon it at one end, and a similar solution of aniline red poured upon it at the other end, a space of clear glass remaining between the two, were placed upon the plate, and the whole was then exposed to strong sunshine. After an exposure of some hours, it was found that the portion of the plate over which the ruby glass had been placed was now of a bright claret or magenta color; the portion which had been covered by the orange glass had assumed an orange tint; that covered by

the aniline red end of the piece of white glass, of a bright orange, graduating to a deep purple red at the place corresponding to that at which the coating of aniline red had been thickest; and the portion covered by the aniline green end was of a bright green, varying in depth according to the variations in thickness of the coating. This experiment is satisfactory, so far as it shows that a layer of the violet sub-chloride of silver can be obtained simply by exposing a layer of ordinary chloride of silver to diffused daylight for a short time.

M. de St. Victor, in the course of his experiments in chromo-photography, has met with a curious confirmation of the theory of Helmholtz with regard to the constitution of green light. Helmholtz, in 1852, adopted the view that a mixture of the blue with the yellow light of the spectrum produces not green, but a purplish-tinted white; that the red and green of the spectrum produce not white, but yellow; and that a mixture of the green with the violet produces a pale blue. M. de St. Victor's experiments show that the green light of the spectrum has a photographic action very different from that of a mixture of its blue with its yellow light. The green rays produce a green image upon his sensitive plate; but a mixture of blue and yellow rays produces first a pure blue image, and then a pure yellow image, but never a green image, or one at all approaching that color. Mr. O. N. Rood, professor of physics in Columbia College, has recently devised some ingenious spectroscopy experiments, which completely prove the accuracy of the Helmholtz theory.

PIERPONT, Rev. JOHN, an American Unitarian clergyman, poet, and author, born in Litchfield, Conn., April 6, 1785; died suddenly at Medford, Mass., August 26, 1866. He graduated at Yale College, at the age of nineteen years, and soon after became private tutor in the family of Colonel William Allston, in South Carolina, where he remained four years. From 1809 to 1812 he studied law at Litchfield, and having been admitted to practice at the bar of Essex County, Mass., settled at Newburyport. The war of 1812 interfered with his professional prospects, and he forsook the law for business, but met with indifferent success, both at Boston and Baltimore, and in 1818 he entered the Cambridge Divinity School. Less than a year after this time he was installed as pastor of the Hollis Street Unitarian Church at Boston, succeeding Rev. Dr. Holley, and for twenty-five years he held the pastorate of that church, at first successful, popular, and strongly beloved by his people, but the latter part of his ministry was clouded with troubles and dissensions, between himself and prominent men of his society, which were never amicably settled. These grew out of his strong advocacy of the cause of temperance, and also that of anti-slavery, the amelioration of prison discipline, and other reforms. In 1835 he visited Europe and Asia. Having at his request obtained a dismissal from



the church in Boston, he became in 1845 the first pastor of the Unitarian Church in Troy, where he remained four years, and then accepted a call to the first Congregational Church in Medford, Mass. When the war broke out his whole soul was fired with patriotism, and, although seventy-five years of age, he sought a post of duty at once. Governor Andrew yielded to his request, and appointed him chaplain of the Twenty-second regiment. The exposure of camp life and duties on the field, proved to be beyond his strength, and he was soon compelled to resign his place, much to his regret. Secretary Chase then appointed him to a clerkship in the Treasury Department, which he held until his death. His clerical duties were always faithfully performed, and he proved a valuable and efficient officer. Mr. Pierpont was a thorough scholar, a graceful and facile speaker, a poet of rare power and pathos, a most earnest advocate of the temperance and anti-slavery movements, and a man whose convictions, purposes, and impulses, were all upon the side of truth and progress. His strong desire for securing advancement and reform may have led him sometimes into injudicious steps, and diminished his influence for the causes he sought to advance, but the heart was always right, and temperance, freedom, and Christianity, had no firmer and more consistent friend or advocate. He leaves an enviable reputation as a poet, and his pathetic "Passing Away," will live as long as our language is spoken or written. In 1840 he published an edition of his poetical works under the title of "Airs of Palestine, and other Poems:"

PISE, CHARLES CONSTANTINE, D. D., a Roman Catholic clergyman and author, born in Annapolis, Md., in 1802; died in Brooklyn, May 26, 1866. His father was an Italian, and his mother a native of Philadelphia. He graduated at Georgetown College, and from thence went to Rome for the completion of his studies. Upon the death of his father two years after, he returned home, and entered the seminary of Mount St. Mary's, Emmetsburg, Md., where he taught rhetoric and poetry. In 1825, he was ordained priest, and began his labors in Frederick, and soon after was called to the cathedral in Baltimore. Among his other duties here, he devoted some time to literary pursuits, and finding his health failing, again visited Rome, where he received the degree of LL. D., and the honorary title of Knight of the Roman Empire. Upon his return to the United States, he became an associate pastor of St. Patrick's Cathedral in Washington, D. C., where he was the intimate friend of Henry Clay, and through his influence was chosen a chaplain in Congress. Subsequently he removed to New York city, and was settled over several churches successively. In 1849, he established the church of St. Charles Borromeo in Brooklyn, of which he was pastor at his death. Dr. Pise was a man of fine literary attainments and held a high rank among the Catholic clergy. Among

his works may be mentioned "The Acts of the Apostles," "Aletheia, or Letters on the Truth of the Catholic Doctrines," "Christianity in the Church," "Lives of St. Ignatius and his first companions," "Notes on a Protestant Catechism," "Father Rowland," and his greatest work, a "History of the Roman Catholic Church from its Establishment to the Reformation." Besides these he published a large number of religious poems.

PORTER, JOHN ADDISON, adjunct professor of chemistry in Yale College, born at Catskill, N. Y., March 15, 1822; died at New Haven, Conn., August 25, 1866. His parents were both distinguished for fine intellectual qualities and high culture. Receiving from them a liberal education at Catskill, New York, and Philadelphia, he graduated at Yale College with distinction in 1842. His tastes led him to literary pursuits, and he soon obtained an eligible position, first as tutor, and afterward as professor of rhetoric in Delaware College, near to the residence of his parents at Philadelphia. He remained in this situation, it is believed, till about the year 1847. Soon after this both his parents died. Mr. Porter, with a view of enlarging the sphere of his studies and preparing himself for more extensive usefulness, went abroad, and connected himself with the University of Giessen, in Germany, where he remained several years, enjoying the benefit of the instruction of the celebrated Liebig in agricultural chemistry. Returning to this country, he soon afterward, in 1850, was appointed to the professorship of chemistry as applied to the arts in Brown University, Rhode Island, which position he filled with credit and usefulness, and from which, upon the death of Prof. John P. Norton, he was transferred to a nearly similar professorship—that of agricultural chemistry—in Yale College, in 1852. This position he continued to occupy, and to discharge its duties with ability and acceptance, for about eleven years, until in 1864 the increasing infirmities consequent upon a settled state of ill health, admonished him of the necessity and duty of resigning his professorship, which he did in the year last named. He soon after went abroad, in the hope of reinstating his shattered health, and with a view of consulting the eminent surgeons of Paris and the Continent. They afforded him temporary relief, but his disease was too deeply seated for radical cure. Satisfied of this fact, he returned home in 1865, and applied himself to the task of making his condition as comfortable as circumstances would admit. From this time he became gradually, but perceptibly worse, and was the victim of intense suffering, endured with manly fortitude and Christian resignation until his death. He was particularly interested in the Sheffield Scientific School, and to him that institution owes much of its success and present prosperity. Upon the breaking out of the war his enthusiastic temperament and elevated patriotism would not allow him to be silent. He



wrote and spoke with earnestness and force on the issues of the day, and always on the northern side. He also originated, and, as long as his failing health would permit, edited a publication entitled "The Connecticut War Record," having in view the collection and preservation of facts illustrating the honorable part which the sons of that State had borne in the war. Professor Porter was, as has been seen, a devotee to scientific pursuits. He achieved in them a reputation ample to satisfy the demands of an honorable ambition. He possessed fine intellectual abilities, strong powers of observation, quick perceptions, and a happy talent for analysis. He was a ready and fluent speaker, had a fine voice and manner, an attractive person, and a warm heart. These qualities made him successful and popular in the laboratory and the lecture-room, as well as in the larger audience chambers of public assemblies. He was an occasional contributor to the periodicals of the day, and was the author of a popular elementary and advanced treatise on chemistry.

PORTER, NOAH, D. D., an eminent Congregational clergyman, born in Farmington, Conn., in 1781; died there September 24, 1866. He came of a pious ancestry who for some generations were farmers, and his father had intended him for the same vocation, but having placed him in the family of the parish clergyman, for the purpose of completing his education, young Porter was led to change his plans and turn his thoughts to the ministry. Devoting himself with zeal to his studies he entered Yale College, and in 1803 graduated as valedictorian of his class. In 1806 he was chosen to the office of tutor, but declined, and, having completed his theological course, was called to the pastorate of the church at Farmington, just made vacant by the death of the Rev. Mr. Washburn, his former instructor and pastor. Here he held the respect and love of the people among whom he was born and reared, for an unbroken ministry of fifty-five years, being at his death the oldest clergyman in the State. His labors were eminently successful, and the church was visited with frequent and powerful revivals, bringing in large additions to its membership. Dr. Porter's views were those of a mild Calvinism, as modified by the New England divines of the former days, when theology was studied as the highest of the sciences, with the utmost earnestness and concentration of thought. Toward the middle and decline of his life he coincided mainly with the opinions held by Dr. Taylor in his philosophy of Christian truth. Dr. Porter was clear and lucid in his teachings, tolerant of the opposing sentiments of others, simple and chaste in his style, and earnest and faithful in his applications of truth. He was a man of decided ability, of good reasoning and intuitive faculties, excellent taste and sound judgment, with a sweetness of temper which added greatly to his popularity. He was a member of the corporation of Yale College for a period of

thirty-nine years, but in 1862 retired on account of deafness. He received the degree of D. D. from Dartmouth College in 1828.

PORTUGAL, a kingdom in Europe. King, Louis I., born October 31, 1838; succeeded his brother, King Pedro V., November 11, 1861. For an account of the Portuguese constitution and for the latest statistics on commerce and movements of shipping, see *ANNUAL CYCLOPÆDIA* for 1865. Area, 36,510 English square miles; population, in 1863, 3,987,861; and with the Azores and Madeira, 4,351,519. The population of the Portuguese colonies was as follows:

## POSSESSIONS IN ASIA.

Indian Settlements—Goa, Salcete, Bardez, etc., (1864).....	474,185
Damao and Diu (1864).....	52,882
Indian Archipelago—Mortuera, part of the Island of Timor, and the Island of Kam-bing.....	850,300
Macao (in China).....	29,587

## POSSESSIONS IN AFRICA.

Cape Verde Islands (1864).....	85,400
Settlements in Senegambia—Bissao, etc....	1,095
Islands of St. Thomas and Principe.....	18,369
Angola, Benguela, and Mossamedes (1865).	2,000,000
Mozambique .....	300,000

Total..... 3,811,818

The revenue was estimated in the budget for 1866-'1867, at 15,989,379 millreis, and the expenditures at 20,766,782 millreis. The revenue from the colonial possessions is less than the expenditures, with the sole exception of the Indian possessions. The budget for the latter showed for the financial years 1863-'64 and 1864-'65 a surplus of 13,657 and 5,122 millreis. The aggregate budget for all the colonies showed for those years a deficit of 296,687 and 336,627 millreis. The total public debt amounted, in June, 1865, to 191,045,054 millreis. The army, according to the law of June 23, 1864, is to consist, in times of peace, of 1,512 officers and 30,128 men, and in time of war of 2,408 officers and 68,450 men; but the effective force in June, 1866, was only 1,443 officers and 17,616 men. The navy, in 1866, consisted of 36 vessels, armed with 330 guns.

Considerable excitement was produced in Portugal by the Spanish insurrection under General Prim. (*See SPAIN.*) As some of the Spanish generals pronounced themselves in favor of a union of Spain and Portugal under the rule of the King of Portugal, the Portuguese Government emphatically declared itself opposed to all such schemes. When the failure of the insurrection compelled General Prim to seek refuge in Portugal, the Portuguese Government ordered him to leave the country, and the Legislature approved this order.

The Portuguese Cortes were in session from January 2d to June 17th, but its proceedings were of no great importance. The Chamber approved a treaty between Portugal and Spain, signed by the respective plenipotentiaries on the 29th October, 1864, fixing the line of de-



marcation of the frontier of the two countries, from the mouth of the River Minho to the confluence of the Caya with the Guadiana. The treaty was accordingly promulgated in April. In closing the Cortes the king announced that the condition of the Portuguese finances was satisfactory.

POWELL, W. BYRD, M. D., a distinguished physiologist and medical philosopher, long a professor of physiology and its allied sciences in the medical schools of the Western and Southwestern States, born in Bourbon Co., Ky., Jan. 8, 1799; died in Covington, Ky., May 13, 1866. His father, a native of Orange County, Va., was one of the early pioneers in the settlement of Kentucky, a man of great resolution, energy, and vital force, and in his childhood and youth the future philosopher was subjected to the hardships of the pioneer life in Kentucky. In 1800, his father removed to Shelby County, and in 1808 to Kenton County, opposite Cincinnati, where he spent the remainder of his long life. He became wealthy in a few years after removing to Kenton County, and his eldest son, the subject of this sketch, manifesting a taste for study, entered Transylvania University, Lexington, Ky., in due season, and graduated there about 1820. He immediately entered upon the study of medicine, under Professor Charles Caldwell, one of the most eminent physiologists of the day, and graduated at the Transylvania Medical School about 1823. After practising his profession for nearly two years, he visited Philadelphia, and attended the lectures of the University of Pennsylvania. He had at this time become greatly interested in physiological studies, and especially in the physiology of the brain and the doctrine of the temperaments, with its relations to health and disease; but felt painfully the need of further light on the subject. The visit of Spurzheim to this country about this time, and his new discoveries of phrenology, indicated to the young Kentuckian the direction in which he must proceed to attain a full comprehension of his subject. Without adopting all Spurzheim's views, he commenced a careful study of the brain and its functions, with special reference to the different temperaments indicated by the varied forms of the naked cranium, and the indications to be ascertained from it in relation to the vital force and longevity of the subject. These studies were carefully and persistently prosecuted for the next thirty years or more. In 1835, he was appointed professor of chemistry in the Medical College of Louisiana, which position he held for several years. In 1836 he announced his discovery that the human temperament could be read from an examination of the cranium alone, without the adjuncts of hair, eyes, flesh, or the remainder of the skeleton even. This announcement excited great opposition, and Professor Caldwell, his former preceptor, as well as many other medical philosophers, denied that it could be accomplished, but he de-

monstrated the fact so conclusively that his opponents were obliged to acknowledge it. He now set himself the task of collecting as large a number of crania, representing different tribes, races, nations, and temperaments, as possible, with a view of illustrating as thoroughly as possible his doctrine. For this purpose he commenced in 1843 a tour among the different tribes of Indians in the western portion of the continent, studying their habits, manner of life, dispositions, longevity, etc., and procuring the skulls of their chiefs and distinguished warriors. He spent three years among them, and, adopting their dress and manners in order to ingratiate himself with them, and secure the purposes of his investigation, he was regarded by many of his friends as insane. In 1846, however, he returned to the States with a very complete collection of crania, which by subsequent efforts he increased till at his death his museum contained over five hundred skulls, representing, in even greater variety and completeness than the late Dr. S. G. Morton's collection, the crania of most of the nations of the globe.

In 1847 Professor Powell obtained from the Legislature of Tennessee a university charter for an institution called "The Memphis Institute," and in 1849 assisted in organizing the law, medical, and commercial departments of his new university. In this university he occupied the chair of cerebral physiology and medical geology. In 1851 he removed to Covington, Ky., and prosecuted his investigations with increasing industry. In 1856 he was appointed to the chair of cerebral physiology in the Eclectic Medical Institute of Cincinnati, and lectured there for two or three years. In 1865 he was chosen Emeritus professor of cerebral physiology in the Eclectic Medical College of the City of New York, but we believe never lectured there. In his "Natural History of the Human Temperaments," published in 1856, Professor Powell announced his discovery some years before of a measurement indicating infallibly the vital force, and also the signs of vital tenacity. These discoveries were not only interesting and easily verified, but they were of great importance in their bearing upon the chances of life and health in individuals. Another discovery, which he had verified by extensive observation, was that of the laws of temperament as affecting marriage and the vitality and sound mental condition of progeny. He announced boldly that there was an incestuous union of similar temperaments, where there was no blood relation, as productive of serious injury to the physical, mental, and moral condition of the offspring, as marriage within near or prohibited degrees of consanguinity. Professor Powell, in his writings, and we should judge in his lectures, paid very little attention to the graces of style. He wrote forcibly, clearly, but never elegantly, nor at all times with grammatical precision. He was, however, a very frequent and always welcome contrib-



utor to numerous scientific and literary periodicals throughout the country. Besides his work on "Human Temperaments," to which we have already referred, he was a joint author with Dr. Robert S. Newton of two volumes, one entitled "The Eclectic Practice of Medicine," the other "An Eclectic Treatise on Diseases of Children." Both have had a large circulation. In his will Professor Powell bequeathed his head to his friend and literary executor, Professor Kekeler, to be preserved with his collection of crania. He was an honorary member of numerous scientific societies, both in this country and Europe.

**PRESBYTERIANS.** I. *Old School Presbyterians.*—The statistics of the Old School Presbyterians were reported in May, 1866, as follows: synods in connection with the General Assembly, 35; presbyteries, 176; licentiates, 255; candidates for the ministry, 324; ministers, 2,294; churches, 2,608; licensures, 103; ordinations, 93; installations, 145; pastoral relations dissolved, 112; churches organized, 50; ministers received from other denominations, 22; ministers dismissed to other denominations, 19; churches received from other denominations, 8; churches dismissed to other denominations, 2; ministers deceased, 87; churches dissolved, 20; members added on examination, 17,937; members added on certificate, 10,158; total number of communicants reported, 239,306; adults baptized, 5,003; infants baptized, 10,006; amount contributed for congregational purposes, \$2,319,909; amount contributed for the boards, \$569,969; amount contributed for disabled ministers, \$23,633; amount contributed for miscellaneous purposes, \$329,599; whole amount contributed, \$3,254,587; contingent fund, \$11,486.

The seventy-eighth General Assembly of the church began its annual session in St. Louis, on May, 17th. Three candidates, representing different parties, were nominated for moderator, with the following result: R. L. Stanton, who was in favor of an unyielding adherence to the deliverances of the preceding assemblies on the subjects of slavery and loyalty, 158; D. P. Gurley, who wished to sustain the deliverances of the former assemblies, but construe and execute them with the greatest possible forbearance, 75; and S. R. Wilson, one of the leaders of the "Declaration and Testimony" party, \* 18; number of commissioners present, 250. Dr. Stanton, on assuming the moderator's chair, made some brief remarks, of which the following are part:

That the rebellious spirit which has bid defiance to lawful authority during these four years of terrible strife through which we have been brought, shaking the nation to its deepest foundation, still rages within the precincts where it was born—the church of God. It is the offspring of heresy and corruption, and all uncharitableness and unrighteousness. To meet this spirit promptly and courageously, in the fear of God, and with a reliance upon His grace, is

your manifest duty, as well as to deal directly with those who openly set at defiance your most solemn instructions; to settle all these questions upon such firm foundations of Scriptural truth and right, that the settlement may commend itself to the church, and give it rest, and that the Saviour's honor and glory may be promoted.

Mr. McLean, of Illinois, moved that, for the present, the Louisville (Kentucky) Presbytery be excluded from the privilege of voting in the Assembly until a committee should be appointed to investigate the disregard by that presbytery of the deliverances of the late General Assembly. W. L. Breckinridge of Kentucky moved to lay it on the table. This was lost (yeas 33, nays not counted), and the previous question was ordered by a large majority. The main question being on the adoption of the resolution excluding the commissioners from the Louisville Presbytery was decided in the affirmative, yeas 201, nays 50, excused 34. The delegates of the Louisville Presbytery, Dr. Stuart Robinson, Dr. S. R. Wilson, and elder Hardy, signed and presented a protest in which they reviewed the action of the General Assembly against them and sought to vindicate their presbytery from the charge of disloyalty. The protest also referred to the action last year, declared it not binding on the churches, and wound up by declaring that the signers would withdraw from all further participation in the Assembly, where their rights have been trampled upon. The General Assembly appointed a special committee on the case of the Louisville Presbytery, which made a report on the 24th of May. The report reviews the declaration and testimony put forth by that body, considers it an evidence of organized conspiracy against the Church, and concludes with a series of reasons which declare the Presbytery of Louisville dissolved. A new presbytery is constituted, to be called by the same name, occupy the same territory, and have care of the same churches—the said presbytery to be composed of so many ministers and elders as shall subscribe to the disapproval of the "Declaration and Testimony of the Louisville Presbytery," and obey the General Assembly. As to ministers of the late Louisville Presbytery who do not apply for admission to the new presbytery, and subscribe to the disapproval within two months of its organization, their pastoral relations under the care of this Assembly shall be dissolved. The Assembly disclaims any intention or disposition to disturb the existing relations of the churches, or of ruling elders or private members, but rather desires to protect them in the enjoyment of their rights and privileges in the churches of their choice against men who would seduce them into an abandonment of the heritage of their fathers. Dr. E. R. Humphreys offered a substitute, strongly condemning the "Declaration and Testimony," and urging the Louisville Presbytery to forbear agitation of the subject, to return to its loyalty to the church, and to report to the next General Assembly its action in the premises, said

\* See ANNUAL CYCLOPEDIA, January 1865, on the "Declaration and Testimony" controversy.



action to be then decided upon by the General Assembly. The Louisville commissioners declined an invitation by the Assembly to appear and defend the action of the presbytery. On taking a vote (on June 1st) the resolutions of the committee and the amendment of Dr. Humphreys were laid on the table by motion of Dr. Thomas, and the substitute of Dr. Gurley taken up and passed by a vote of 196 to 37. This substitute condemns the "Declaration and Testimony" as a slander against the church, schismatical in its character, and its adoption by any church court is declared an act of rebellion against the authority of the General Assembly. It summons all the signers of the "Declaration" and all the members of the presbytery who voted for it, to appear before the next General Assembly to answer for their conduct, and prohibits them from sitting as members of any church court, higher than session, until their cases are decided; it dissolves any presbytery that disregards this action of the Assembly, and vests all presbytery authority in such ministers and elders of such presbytery as adhere to the action of the Assembly. On the motion of Dr. Monfort, those members excluded under this substitute were allowed to retain their seats in the Assembly until its adjournment. On May 25th, the subject of reunion between the Old School and the New School Presbyterian churches was reported upon. The plan suggested was for the appointment of a committee of nine members and six elders to meet a similar committee of the New School Assembly, who, after consultation, if they deemed reunion desirable and practicable, were to report measures for its accomplishment to the next General Assembly. A motion made by Dr. Vandyke that the Confederate Assembly be invited to join the union was laid on the table. The report of the committee was then adopted by a large majority.

The action of the General Assembly, with regard to the signers of the "Declaration and Testimony," led to a formal division of the Church in Kentucky and Missouri. At the meeting of the presbyteries, the adherents of the General Assembly insisted that, in accordance with the decree of this year's General Assembly, the names of the signers of the "Declaration and Testimony" be not put upon the roll, and in all cases where the majority of the presbytery refused to accede to this demand, the Assembly men left, and reconstituted themselves as the presbytery. The division was fully consummated at the meeting of the Synods of Kentucky (at Henderson, October 10th), and Missouri (Booneville, October 10th). At the meeting of the Kentucky Synod, the clerk, Rev. S. S. M. Roberts, who adheres to the General Assembly, proceeded to call the roll, and, in accordance with the directions of the General Assembly, left out the names of the signers of the "Declaration and Testimony." After having called the list of loyal ministers, he was directed by the moderator to "call the names

of all the constituent elements of the Synod;" and when he refused to obey this direction, the roll was called by the moderator himself. The adherents of the Assembly did not answer when their names were called. The opponents of the Assembly then organized. The friends of the Assembly remained in the church after adjournment, and likewise constituted themselves as *the* Synod of Kentucky. Of the members present, fifty-nine endorsed the Assembly, and ninety-nine supported the Louisville Presbytery.

At the meeting of the Missouri Synod, the majority resolved to enroll the signers of the "Declaration and Testimony," whereupon twenty-seven ministers and elders withdrew, and constituted a synod in accordance with the order of the General Synod. Previous to the meeting of the Missouri Synod, Drs. Robinson and Wilson had written, signifying their purpose to go with the Southern Assembly; a few of the "Declaration and Testimony" men in Missouri were of like mind, but the majority were, at that time, opposed to such a movement, declaring that they would not connect themselves with any other religious organization, but remain in their connection with the Old School Presbyterian Church in the United States. The Synod of New York, by a vote of 111 to 7, excluded a signer of the "Declaration" (Rev. Dr. Vandyke), and endorsed the action of the General Assembly. The same resolution was passed by the Synods of Philadelphia and Baltimore. The latter synod, by a vote of 27 to 11, disapproved of the action of the Presbytery of Baltimore, in not declaring vacant a church the pastor of which, a signer of the "Declaration and Testimony," had declared that he had left the church. It also condemned the Presbytery of Lewes (Maryland) for allowing a signer of the "Declaration and Testimony" to sit as a member. In August, 1866, a conference of ministers and laymen, composed of Presbyterians dissatisfied with the action of the General Assembly on the slavery question, met at St. Louis. The following delegates were present: ministers from Kentucky, 8; from Maryland, 2; from Illinois, 1; from Ohio, 1; from Missouri, 21; ruling elders from Kentucky, 2; from Illinois, 2; from Missouri, 27. Resolutions were passed, in substance as follows:

To prepare a statement of doctrines, ecclesiastical principles, and policy, on which to stand, as against the unscriptural and unconstitutional acts of the Assemblies of 1861 and 1866, inclusive, to be adopted as the official action of this conference.

To prepare a popular warning against the errors of the General Assembly of five years back.

To urge coöperation in this movement from all who are opposed to the aforesaid acts of the Assembly.

It was resolved not to form a new Church organization, but to appeal to the churches to correct the errors of the General Assembly, and hold another conference.



The conference was called for November 15th, but did not meet. The editor of the *St. Louis Presbyterian* was one of the committee of correspondence, which was to communicate with like-minded brethren and urge their attendance. He confessed that he had neither time nor *inclination* to perform the duty imposed upon him. The leaders of the movement had made up their minds to join the Southern Presbyterian Church as soon as possible. On November 23d, the seceders from the General Assembly in Maryland organized a new presbytery, to be known as the Presbytery of the Patapsco. Four ministers and three ruling elders were present. Dr. Bullock, of Baltimore, stated that a church movement was on foot in Pennsylvania, to meet this effort to maintain the standard of the church pure and unstained, and that union would be made with all who stood by the Presbyterian doctrine unsullied.

While the Church thus lost part of her territory in Kentucky, Missouri, and other border States, some progress was made, on the other hand, in reconstituting presbyteries in the late Confederate States. The first act of this kind was the reorganization of Holston Presbytery, in East Tennessee, which took place on the 23d of August. The new presbytery numbered at the time of its constitution, four ministers and five churches. Subsequently another presbytery was reconstituted in New Orleans, and another in North Carolina (the Presbytery of Catawba).

II. *New School Presbyterians*.—The statistics of the New School Presbyterians, as reported in May, 1866, were as follows:

SYNODS.	Presbyteries.	Ministers.	Churches.	Communicants.
Albany .....	5	79	67	8,115
Utica .....	4	84	68	6,544
Onondaga .....	4	91	71	8,465
Geneva .....	6	110	90	8,722
Susquehanna .....	3	37	41	3,513
Genesee .....	6	134	103	13,112
N. York and N. Jersey..	9	280	165	30,509
Pennsylvania .....	5	108	89	15,457
West Pennsylvania.....	3	30	31	3,299
Michigan .....	8	117	113	2,497
Western Reserve.....	6	103	77	6,306
Ohio.....	4	51	65	4,355
Cincinnati .....	4	55	48	3,446
Indiana .....	4	42	61	3,994
Wabash .....	4	35	56	3,093
Illinois.....	4	84	89	5,049
Peoria .....	5	91	66	6,518
Wisconsin.....	4	44	33	1,564
Iowa .....	6	55	59	2,429
Minnesota .....	3	28	23	1,483
Missouri .....	5	29	42	1,323
Tennessee.....	3	23	46	2,722
American California....	4	29	20	886
Total.....	109	1,739	1,528	150,401

The New School Presbyterian General met simultaneously with the Old School General

Assembly, at St. Louis, on the 17th of May. Prof. Hopkins, of Auburn, New York, was chosen moderator. Two hundred and one commissioners were present. On May 26th, the Assembly provided, through a series of resolutions, for the appointment of a committee of fifteen, to consult with a similar committee from the Old School Assembly, on the subject of an organic reünion. On Friday, May 25th, the New School Assembly adopted, unanimously, the report of the committee on the state of the country. The report, after expressing at considerable length the Assembly's gratitude to God for delivering the nation from civil war, for freeing it from the sin of slavery, making the people recognize more fully the reality of Divine Providence, and watching over the churches, concludes by bearing testimony in respect to our urgent needs and duties as a nation, in view of the new era upon which we are now entering. It said:

1. Our most solemn national trust concerns that patient race, so long held in unrighteous bondage. Only as we are just to them can we live in peace and safety. Freed by the national army, they must be protected in all their civil rights by the national power. And, as promoting this end, which far transcends any political or party object, we rejoice that the active functions of the Freedmen's Bureau are still continued, and especially that the Civil Rights bill has become the law of the land. In respect to the concession of the right of suffrage to the colored race, this Assembly adheres to the resolution passed by our Assembly of 1865 (Minutes, page 42): "That the colored man should, in this country, enjoy the rights of suffrage, in connection with all other men, is but a simple dictate of justice. The Assembly can not perceive any good reason why he should be deprived of this right, on the ground of his color or his race." Even if suffrage may not be universal, let it at least be impartial.

2. In case such impartial suffrage is not conceded, that we may still reap the legitimate fruits of our national victory over secession and slavery, and that treason and rebellion may not inure to the direct political advantage of the guilty, we judge it to be a simple act of justice that the constitutional basis of representation in Congress should be so far altered as to meet the exigencies growing out of the abolition of slavery; and we likewise hold it to be the solemn duty of our national Executive and Congress, to adopt only such measures of reconstruction as shall effectually protect all loyal persons in the States lately in revolt.

3. As loyalty is the highest civic virtue, and treason is the highest civil crime, so it is necessary, for the due vindication and satisfaction of national justice, that the chief fomenters and representatives of the rebellion should, by due course and process of law, be visited with condign punishment.

A motion to strike out the word section was lost. A resolution that the testimony be read in all the churches of the denomination was adopted. On May 28th, the Assembly voted to raise \$120,000 next year, for home missions; that the catechism be taught in all Sabbath-schools; adopted a fraternal letter to the Scotch Presbyterian Church; responded to a letter from the Reformed Dutch Church, professing a closer union; adopted an able report on temperance, and a deeply-interesting narrative of the state of religion. The year has been one



of remarkable spiritual prosperity. Many hundreds of the churches report extensive revivals.

III. *United Presbyterians*.—The minutes of the General Assembly of the United Presbyterian Church give the following statistics of this denomination: pastors, 387; ministers, without charge, 152; licentiates, 48; congregations, 686; families, 25,675; communicants, 58,988; received by profession during the year, 4,061; infant baptisms, 3,791; adult baptisms, 475; officers and teachers in Sabbath-schools, 3,233; average number of pupils in Sabbath-schools, 17,976. Contributions: home missions, \$20,838; foreign missions, \$112,276; freed-men's mission, \$15,478; education, \$3,482; publication, \$3,075; church extension, \$9,636; aged ministers' fund, \$2,233; salaries from congregations, \$268,229; salaries by assembly, \$19,070; general contributions, \$225,324. Total, \$589,052. The Eighth General Assembly of the United Presbyterian Church convened in Alleghany City, Pennsylvania, on May 31st, Rev. D. R. Kerr, D. D., was elected moderator. The Chairman of the Committee on Foreign Missions, Rev. J. Price, handed in the report, which consisted of a series of resolutions expressing gratitude to God for past success in the mission field; recognizing his hand in the removal of missionaries by death; asserting it to be the duty of the Assembly to reënforce the missions in India, China, and Syria immediately; recommending that missionaries be allowed to select their own field of labor; that all money for salaries, etc., be consolidated into one fund; that \$100,000 be raised during the present year, and that all the churches be urged to observe the week of prayer at the beginning of 1867, for an outpouring of the Holy Spirit. The resolutions were adopted. The Assembly appointed a committee of conference with the Reformed Presbyterians. It was resolved to continue the Church's missionary efforts among the Jews. The sum of \$15,000 was appropriated for church extension during the ensuing year. The Assembly agreed to hold its next session on the fourth Thursday in May, 1867, at Xenia, Ohio.

IV. *Cumberland Presbyterian Church*.—The General Assembly met in May, at Owensboro', Kentucky. This was the first assembly since the beginning of the war at which the commissioners from the Southern States were present. A committee was appointed of one from each synod to investigate the whole subject of the deliverances of the preceding assemblies, and to harmonize the difference growing out of the war and slavery. This committee, composed of twenty members, after protracted discussion, brought in a majority and minority report. The majority, in substance, proposed to pronounce unconstitutional the action of 1864 and 1865 on the subject of slavery and rebellion. The minority proposed in substance to let the whole matter stand where it is. These reports were discussed at considerable length on both sides, and finally, Rev. Dr. Bird offered a substitute for the whole, which it was moved to

amend by adding an additional resolution disclaiming any indorsement by the Assembly in this action of slavery or the rebellion. Dr. Mitchell, of Texas, moved to amend the amendment by adding the words that "no opinion" is hereby expressed on those subjects. In this form the substitute passed by a large majority. Some of the Northern Presbyteries were greatly dissatisfied with this action, and proposed the holding of a convention to deliberate on the action to be taken. The movement for a convention was supported by one of the North Church papers (*Cumberland Presbyterian*), but opposed by the other northern paper (*Western Cumberland Presbyterian*). At the close of the year no convention had yet met. A number of Southern members desired a union with the Southern Presbyterian Church. (See SOUTHERN PRESBYTERIAN CHURCH.)

V. *Southern Presbyterian Church*.\*—The General Assembly of this denomination commenced at Memphis, on November 15th. The Rev. Andrew H. Kerr, of the Memphis Presbytery, was unanimously elected moderator. There were present forty-eight ministers and thirty-seven ruling elders. The chief subject of discussion in the early sessions of the General Assembly was a new book of discipline, which was reported by a committee previously appointed. One of the sections of this new book, which was adopted, defined the relation of baptized children to the church in the following terms:

Ch. II., Art. 1. All baptized persons, although they may have made no profession of faith in Christ, are federally members of the Church, are under its care, and subject to its government, inspection, and training: but they are not subject to those forms of discipline which involve judicial process.

Dr. Palmer offered the following resolution, which was adopted:

*Whereas*, In view of the great controversy now pending in this country upon the spirituality and independence of the Church as the visible kingdom of the Lord Jesus Christ upon the earth; and in view of the fact that the Assembly did, at the time of its organization in 1861, plant itself firmly upon the ground that the Church is a spiritual commonwealth distinct from, and independent of the State, be it, therefore,

*Resolved*, That the Rev. Messrs. T. E. Peck, A. W. Miller, and George Howe, D. D., be appointed a committee to prepare and report to the next General Assembly, a paper defining and limiting this whole subject for the instruction of our people, and suitable to be adopted by the Assembly as a full and public testimony against the alarming defections in so many branches of the Protestant church in this country.

The Synod of Alabama was authorized to receive the "Alabama Presbytery of the Associate Reformed Church," the Assembly recognizing the right of all its churches to use "Rouse's Version" of the Psalms, if they prefer it. It further authorized any of the synods to

\* The official name of this branch is "Presbyterian Church in the United States." We use the name Southern Church only to distinguish this from the so-called Old and New School Presbyterian denominations.



receive any of the Presbyteries of the Associate Reformed Church upon the same conditions, and, to make the way to union easier, resolved that fifty Psalms of "Rouse's Version" be incorporated in the new psalm and hymn book about to be published. A delegate from the Cumberland Presbyterian Church appeared in the Assembly, and, though without authority to make any overtures for a union of two bodies, he expressed the opinion "that the time had arrived when some movement should be made in this direction." Upon this hint the Assembly acted, passing a resolution favorable to a union, and, at a later stage, appointed a committee to confer with a similar committee from the Cumberland Presbyterian Church. The Assembly had a long and important debate, as to the future status of the colored race in their ecclesiastical connections. Dr. Atkinson contended that there was nothing in Scripture or the standards of the church to prohibit colored persons from holding the office of deacon, ruling elder, or minister of God, and that in their church sessions and assemblies, they are entitled to a treatment of perfect equality. He contended that it was through the Gospel that caste and prejudice would be broken down, and that any thing that stood in the way of the Gospel should be destroyed. Others contended that innovations would surely result in miscegenation and negro equality. The resolutions adopted by the General Assembly recommend the spiritual wants of the colored race to the particular attention of the Church. The report on domestic missions showed the receipts to be \$34,746, and the whole number who received aid from the sustentation fund, including sixteen families of deceased ministers, is upward of two hundred and twenty. It was ascertained that between ninety and one hundred church edifices were either seriously injured or entirely destroyed during the progress of the war, about one half of which were in the Synod of Virginia. The committee reported that not less than \$50,000 would be needed for Presbyterian missions, sustentation, and church erection the coming year. The report on education showed that \$200 had been contributed to the funds of the executive committee and one candidate received. The publication committee reported receipts by donations and sales, \$18,174; and a balance in treasury of \$2,299. The next Assembly is to meet in the First Presbyterian church, in Nashville, on the third Thursday of November, 1867, "or whenever or wherever it may orderly be called." The Assembly adjourned on November 28th.

VI. *Associate Reformed Presbyterian Church in the South.*—The Synod of the Associate Reformed Presbyterian Church in the South, held in 1866, declared against a union with the Southern Presbyterian Church, and all negotiations on the subject were, consequently, abandoned. This denomination has nine presbyteries, sixty-six ordained ministers, and eight

licentiates. In 1862, the church seemed quite favorable to the union; but a decided change has taken place since, and at the session of the synod at Fayetteville, Tenn., a majority of the delegates declared against it. Some of the ministers have consummated the union for themselves individually, and a few others may do so hereafter.

VII. *Great Britain.*—The Church of Scotland had, in 1866, 16 synods, 84 presbyteries, and 1,243 congregations (including parish churches and *quoad sacra* chapels). The Free Church of Scotland has 16 synods, 71 presbyteries, 846 churches, 3 colleges for the education of students for the ministry. The United Presbyterian Church had 31 presbyteries in England and Scotland, 584 ministers, 592 churches, and 172,752 members. The Reformed Presbyterian Synod ("Cameronians," "Covenanters") has 6 presbyteries, 45 churches, and 40 ministers. The Synod of the United Original Seceders was dissolved in 1852, and united to the Free Church; 25 congregations, however, refused to join that church, and still continue a separated body, divided into 4 presbyteries. The Presbyterian Church in England has now 7 presbyteries and 105 churches.

The General Assemblies of the Free and United Presbyterian Churches again discussed the union question, and both bodies resolved to send the report of the joint committee down to the presbyteries, and to instruct the committee to review what suggestions they had to make and report to the next general assemblies. In the General Assembly of the Church of Scotland the question of innovations came up, upon overtures from numerous synods and presbyteries, some praying to rescind, and others to correct and explain the legislation of last year. In 1865 the Assembly passed a strong declaration against innovations in public worship, and calling upon presbyteries to take particular cognizance of any cases within their bounds of departure from the law and usage of the Church in reference thereto. Dr. Pirie moved the adoption of an act declaring "that the right and duty of maintaining and enforcing the observance of the existing laws and usages of the Church in the particular congregations or kirks within their bounds, in matters connected with the performance of public worship and the administration of ordinances, belong to, and are incumbent upon the presbyteries of the church, subject always to the review of the superior church courts;" and further declaring it to be the duty of presbyteries, on becoming aware of any innovation being introduced or contemplated, "either to enjoin the discontinuance, or prohibit the introduction of such innovation or novel practice, as being, in their opinion, inconsistent with the laws and settled usages of the church, a cause of division in the particular congregation, or as being unfit from any cause to be used in the worship of God, either in general or particular kirk, or to find that no



case has been stated to them calling for their interference." Dr. Lee moved that the act of 1865 be rescinded. After a debate which lasted a whole day, the assembly divided, when the vote for Dr. Pirie's motion was 207; for Dr. Lee's 94—majority, 113.

VIII. *British Colonies.*—The union of the Presbyterian Church of the Lower Provinces of British North America and the Presbyterian Church of New Brunswick, took place in the city of St. John, N. B., on the evening of September 2d. The Synod of the Presbyterian Church of the Lower Provinces was made up of the two bodies known by the names of the Presbyterian Church of Nova Scotia and the Free Church. Six years ago the union took place between these two bodies, and they have been since known by the name of the Presbyterian Church of the Lower Provinces. The ministers belonging to it amounted to between ninety and one hundred, diffused throughout Nova Scotia, Cape Breton, Prince Edward Island, and Newfoundland, and one or two in New Brunswick. The Synod of New Brunswick consisted of between twenty and thirty ministers, chiefly in the Province of New Brunswick. The name of the now united body is the Presbyterian Church of the Lower Provinces—the designation of the larger body before the union.

PRUSSIA, a kingdom in Europe. Reigning king, William I., born March 22, 1797; succeeded his brother, Frederic William III., on January 2, 1861. Heir-apparent, Prince Frederic William, born October 18, 1831. (For a full account of the Constitution of Prussia, *see* ANNUAL CYCLOPÆDIA for 1865.) The year 1866 will be memorable for the large increase of the area, population, and power of the kingdom. In consequence of the German-Italian war, the Government of Prussia annexed the States of Hanover, Hesse-Cassel, Nassau, and Frankfort, the Duchies of Schleswig and Holstein, and some districts ceded by Bavaria and Hesse-Darmstadt. Thus the area of Prussia rose from 108,212 English square miles to 135,662; and the population from 19,304,843 to 23,590,543.

As regards the religion of the inhabitants, the relation of Protestant, Roman Catholic, and other denominations, is as follows:

	PER CENT. OF		
	Protes- tants.	Roman Catholics.	All others.
Prussia proper.....	60.23	36.81	2.96
The former Principalities of Ho- henzollern.....	1.89	96.31	1.80
The Territory of Yahde.....	84.74	7.06	8.20
Lauenburg.....	99.91	0.06	0.03
Schleswig-Holstein.....	99.87	0.20	0.54
Hanover.....	87.49	11.75	0.76
Hesse-Cassel.....	82.82	14.58	2.60
Nassau.....	52.11	46.27	1.62
Frankfort.....	69.87	21.51	8.62
Hesse-Homburg.....	77.70	18.08	4.22
Districts ceded by Hesse-Darm- stadt.....	94.90	1.78	3.26
Districts ceded by Bavaria.....	?	?	?
In whole of Prussia.....	64.64	32.71	2.65

To non-German nationalities belong nearly

3,000,000 of the inhabitants, about 2,000,000 of whom are Poles, and 170,000 Danes (in Schleswig).

The revenue in the year 1865 (exclusive of the newly-annexed territory) amounted to 173,-934,739 thalers; the expenditures to 169,243,-365; surplus, 4,691,374. The public debt, in 1866, amounted to 280,820,427.

The Prussian army in time of peace numbered at the beginning of the year 1866, about 212,000 men, and in time of war, inclusive of the landwehr of the second call, 742,498. The fleet consisted of the following vessels: 40 steamers (276 guns), 8 sailing vessels (140 guns), 36 rowing vessels (68 guns). Total, 84 war vessels, with 484 guns. The movement of ship- ping was, in 1865, as follows:

FLAG.	ENTERED.		CLEARED.	
	Vessels.	Lasts.	Vessels.	Lasts.
Prussia.....	5,262	427,411	5,181	419,567
Foreign.....	5,165	424,678	5,187	427,970
Total.....	10,427	852,089	10,368	847,537

The merchant navy, in 1865, consisted of 1,200 vessels, of a total burden of 180,821 lasts.

The disagreement of Prussia with Austria in the Schleswig-Holstein and the Federal-German questions, assumed, soon after the beginning of the year 1866 a threatening aspect (*see* AUSTRIA, GERMANY, and the GERMAN-ITALIAN WAR), and led, in June, to the outbreak of a great war, and the withdrawal of Prussia from the Ger- man Confederation. The success of Prussia in the war exceeded the boldest expectations. The ability of the generals, the bravery of the troops, and the efficiency of the needle-gun, as- tonished the world. After a brief and decisive campaign, Prussia dictated the terms of a treaty of peace with Austria and the South German States, by which Austria renounced all con- nection with the German Confederation, con- sented to the construction of a new German confederation under the leadership of Prussia, and ceded to Prussia her claims to Schleswig and Holstein, which accordingly were incorpo- rated with the Prussian monarchy. The Gov- ernment of Prussia by right of conquest also annexed (by decrees dated September 20th) the Kingdom of Hanover, the Electorate of Hesse- Cassel, the Duchy of Nassau, and the Free City of Frankfort, and formally took possession of them on October 8th. Small districts were also ceded to Prussia by Bavaria and Hesse- Darmstadt. (*See* BAVARIA and HESSE-DARM- STADT.) The annexed states are provisionally to remain under a separate administration, un- til the preparations for the introduction of the Prussian Constitution and their conversion into Prussian provinces shall have been completed. Ministerial orders introduced, however, in No- vember the system of general liability to mili- tary service. The aggrandizement of Prussia led to a demand on the part of France for the cession of some Prussian territory. The demand met with a firm refusal, and was consequently





COUNT VON BISMARCK.

New







abandoned by France. (*See FRANCE.*) With the Grand Duke of Oldenburg a treaty was concluded on August 28th, in accordance with which that prince renounces his claims to the Holstein succession, in consideration of the cession to him of a small portion of Holstein territory, and an indemnity of 1,000,000 thalers. With the governments of Bavaria, Baden, and Wurtemberg, secret treaties were concluded immediately after the war, by virtue of which the superior command of the armies of those States, in case of war, was transferred to the King of Prussia. The treaties were kept secret until March, 1867, when they were officially published. The following is the text of the treaty concluded between Prussia and Bavaria:

ART. 1. By these presents a treaty of offensive and defensive alliance is concluded between the King of Prussia and the King of Bavaria. The two high contracting parties reciprocally guarantee the integrity of the territory of their respective countries, and undertake, in case of war, to place at their mutual disposal the whole of their military forces.

ART. 2. The King of Bavaria has transferred, for the case in question, the superior command of his troops to the King of Prussia.

ART. 3. The high contracting parties engage to keep this treaty provisionally secret.

ART. 4. The ratification of this treaty shall take place at the same time as that of the treaty of peace concluded this day, that is to say, on the 3d of next month at latest.

Done at Berlin, this 22d day of August, 1866.

The conflict between the Government and the representatives of the people remained unsettled in the Legislative session which began on the 15th of January. The speech from the throne, which was read by Count Bismarck, announced that bills would be brought in settling the budget, and asked for the supplies requisite for the unchanged maintenance of the military reorganization and the increase of the navy. Supplies would also be asked for the execution of the North Sea and Baltic Canal, and various other measures affecting home administration would be laid before the Chambers. The confident hope was expressed that the commercial treaty with Italy would be ratified by all the States of the Zollverein. The finances of the kingdom were stated to be in a favorable condition. The relations of Prussia with foreign powers were satisfactory and friendly. The royal speech continued:

By the Gastein convention Lauenburg has been united to the Prussian crown. It is my desire, while treating with consideration the peculiar state of things in the duchy, to allow its inhabitants to enjoy all the advantages of union with Prussia. The definitive decision of the future of Schleswig-Holstein has been reserved by the Gastein convention for further negotiation. By the occupation of Schleswig, and by her position in Holstein, Prussia has acquired a sufficient guaranty that the decision can only be in a sense corresponding to the interests of Germany and the claims of Prussia. Resting upon my own conviction, strengthened by the opinion of the legal advisers of the crown, I am determined to hold fast this pledge, under all circumstances, until the desired end is attained. Conscious of being sustained by the assent of the people, I hope that the object striven for and gained will prove a point of union for all parties.

The Chamber of Deputies reelected Herr von Grabow, President, and Herren von Unruh and von Bockum-Dolffs, Vice-Presidents, all three of whom were members of the Liberal Opposition. The President, Herr Grabow, in his usual opening address to the House, sharply criticised the language of the reactionary press, the prohibition by the Government of the Cologne banquet to the Prussian Liberal Deputies, and the measures which had been taken to restrict the liberty of the press, the voting of Government officials, and the meeting of political associations. Herr Grabow deplored the conflict between the Government and the Chamber on constitutional questions, a state of things which had now become chronic and had brought political legislation to a stand-still. He added that liberty was the only thing which could lead to moral conquests, to the solution of the Schleswig-Holstein question, which the Gastein convention had but complicated, and to the federal unity of Germany. The majority of the Chamber soon adopted several resolutions censuring the Government. On February 3d, a motion of Dr. Virchow, declaring the annexation of Lauenburg to the Prussian crown to be illegal until it had received the sanction of the chamber, was adopted by 257 against 44 votes; and, on February 9th, a motion of Herr Hoverbeck, protesting against the decision of the Supreme Court authorizing the public prosecutor to indict deputies Twesten and Freutzel, for their speeches in the Chamber, by 263 against 35 votes. During the discussion of the latter motion the minister of justice threateningly stated that the public prosecutor, in taking proceedings against deputies Twesten and Freutzel had acted upon his order, that it was well known how the Government had determined to do in such emergencies, and that, should contradictory views in the interpretation of the constitution continue to prevail, an authoritative declaration of the king would afford the only means of arriving at a solution. The president of the ministry of State on February 19th addressed a letter to the president of the Chamber, in which he declared the resolutions of the Chamber relative to the Duchy of Lauenburg, the Supreme Court, and the Cologne banquet, to be unconstitutional; that therefore they could not be accepted by the Government, and that the Government for these reasons returned them to the president of the Chamber of Deputies. On February 23d, the Chambers were closed by a speech from the throne, read by Count Bismarck. The speech stated that, in view of the unconstitutional resolutions of the house respecting the annexation of Lauenburg, and the recent decision of the Supreme Court, the Government asked itself the question whether results favorable to the peace and welfare of the country could be expected from the continuation of the debates in the Diet, and had finally come to the conclusion, that through the course adopted by the Lower House the country would be exposed to more serious disunion,



and the future settlement of the existing disagreements be rendered more difficult.

While on the point of war with Austria, the Government dissolved the Chamber of Deputies, and ordered an election of primary electors to be held on June 25th, and the final election of deputies on July 3d. The election took place under the influence of the great victories gained by the Prussian army, and resulted in largely adding to the number of the Conservative party. A semi-official paper of Berlin classed the new chamber as follows: Conservatives, 143; Old Liberals, 26; Catholic party, 16; Left Centre, 65; Progress party, 71; Polish party, 21; uncertain, 4; 3 not yet known. The Chambers were opened by the king in person on the 4th of August by a speech which refers, in the following manner, to the relations of the Government with the Chambers and to the reconstruction of Germany.

My Government is able to look with satisfaction upon the financial position of the State. Careful foresight and conscientious economy have placed it in a position to overcome the great financial difficulties which have resulted, as a natural consequence, from the circumstances of the present time. Although material outlay has been imposed upon the treasury during recent years by the war with Denmark, it has been found possible to meet the expenses hitherto incurred in the present war from the State revenue and the existing balances, without imposing any other burden upon the country than that of furnishing supplies for the purposes it is bound to provide by law. I hope the more assuredly that the means required for the successful termination of the war and for the payment of the supplies in kind, while maintaining order and security in the finances, will be readily granted by you. An agreement with the representatives of the country as to the settlement of the budget has not been able to be effected in the last few years. The State outlay during this period is therefore destitute of that legal basis which, as I again acknowledge, the budget can alone receive through the law. Article 99 of the constitution ordains it annually to be agreed upon between my Government and the two Houses of the Diet, although my Government has nevertheless carried on the budget for several years without this legal basis. This has only been done after conscientious examination, and in the conviction, in accordance with duty, that the conduct of a settled administration, the fulfilment of legal obligations toward public creditors and officials, the maintenance of the army and the State establishments, were questions vital to the existence of the State, and that the course adopted therefore became one of those inevitable necessities which in the interest of the country a Government cannot and must not hesitate to adopt. I trust that recent events will in so far contribute to effect the indispensable undertaking that an indemnity for having carried on the budget, application for which will be made to the representatives, will readily be granted to my Government, and the hitherto existing conflict be finally and the more seemly brought to a conclusion, as it may be expected that the political position of the fatherland will admit an extension of the frontiers of the State, and the establishment of an united Federal army under the leadership of Prussia, the cost of which will be borne in equal proportions by all members of the Confederation. The bills required in this respect for the convocation of a popular representation of the Federal States will be laid before the said Diet without delay.

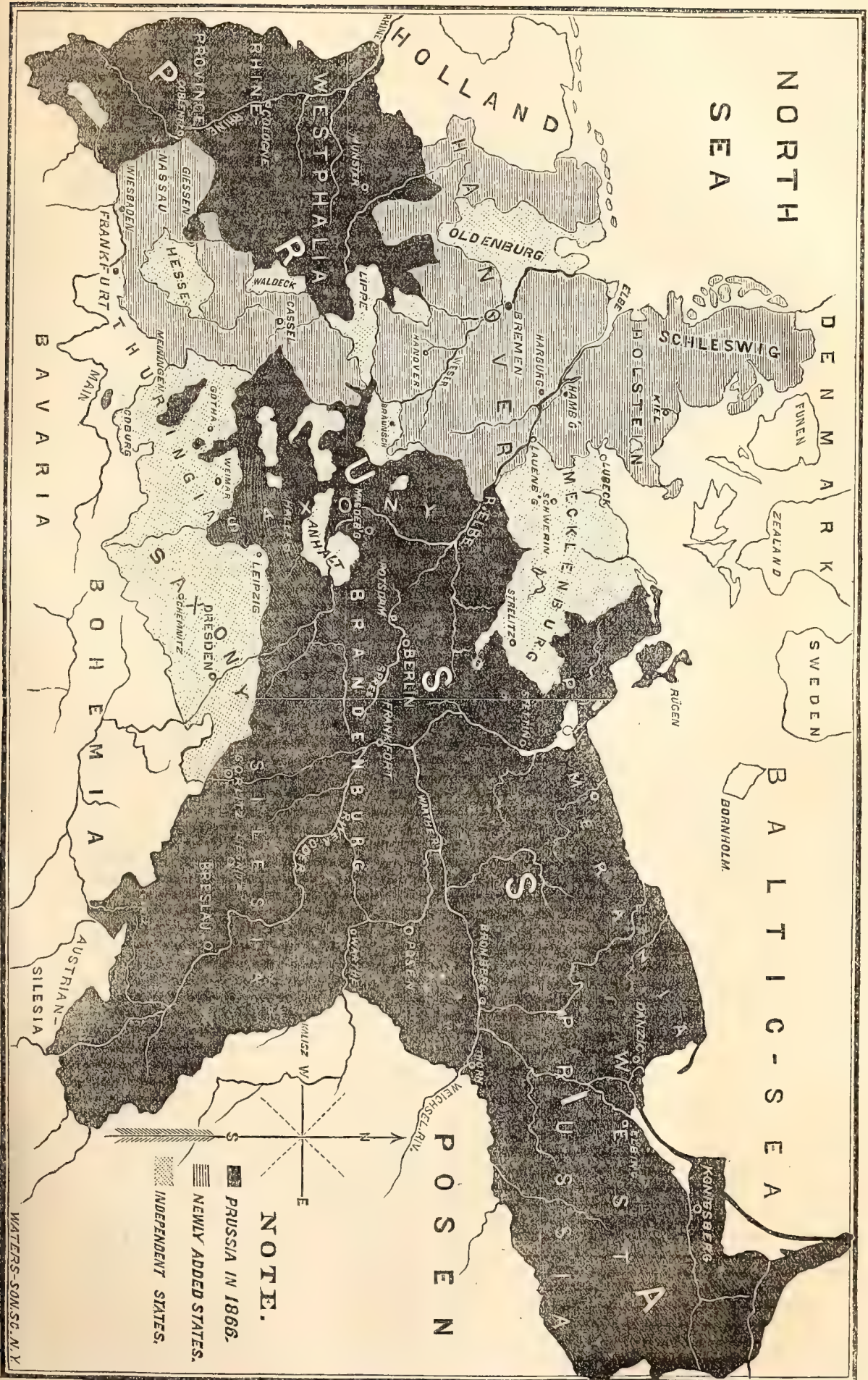
Herr von Forckenbeck was elected president, obtaining 170 votes against 136 given to the

Conservative and 22 to the Old Liberal candidates. The immense majority of the Chamber of Deputies approved the foreign policy of the Government, and showed a desire to come to an understanding on home questions, by making concessions. Thus an address, in reply to the speech from the throne, was agreed upon by both the Conservatives and Liberals, and was adopted by all, save 25 votes (four members of the Left, and the Polish and Catholic Deputies). The king, on receiving the address, assured the deputies of the Chamber that the Government had never disputed the rights of the Chamber with regard to the budget. The indemnity which was now asked had, in principle, been repeatedly proposed by the Government, but unfortunately on former occasions no agreement had ensued. The constitution contained no article applicable to such a position of affairs. In the event of a recurrence of a similar state of things, he would be under the necessity of again acting as he had acted before in order to preserve the regular order in the State. But a renewal of the conflict could not take place after the adoption of such an address as that just presented to him.

The Chamber adopted a bill of indemnity for the financial administration of the Government from the commencement of the year 1862 to the present time; bills for the annexation of Hanover, Hesse-Cassel, Nassau, Frankfurt, and Schleswig-Holstein; a bill for expressing the gratitude of the country to Count Bismarck, and Generals von Moltke, the Minister of War (Von Roon), Herwarth von Bittenfeld, Von Steinmetz, and Vogel von Falckenstein, by a donation of 1,000,000 thalers.

In consequence of the German-Italian war, Prussia not only received a large increase of territory and population, but also became the head of the North German Confederation, comprising all the German States north of the river Main. (*See GERMANY.*) On the map which accompanies this article, Prussia proper (as it was at the beginning of the year 1866) is marked in black; the States annexed in 1866 are marked by small horizontal lines; the States forming with Prussia the North German Confederation are indicated by a dotted surface. The conventions concluded by Prussia with the minor States for the purpose of establishing this confederation, give to Prussia the chief command of the whole federal army, and the sole right of diplomatic representation abroad. The annexed States and the minor States of the North German Confederation will increase the Prussian army in time of peace to about 300,000, and in time of war to 1,000,000. As in case of war, also the armies of Bavaria, Würtemberg, Baden, and Hesse-Darmstadt, will be under command of the king of Prussia; the Prussian army, on a war footing, will consist of upward of 1,300,000. In December plenipotentiaries from all the States met at Berlin, in order to prepare a draft of the Federal Constitution, to be revised by the first Federal Parliament.







**PUBLIC DOCUMENTS.** *Message of the President of the United States to the two Houses at the commencement of the second session of the Thirty-ninth Congress, December 3, 1866.*

*Fellow-Citizens of the Senate and House of Representatives :*

After a brief interval the Congress of the United States resumes its annual legislative labors. An all-wise and merciful Providence has abated the pestilence which visited our shores, leaving its calamitous traces upon some portions of our country. Peace, order, tranquillity, and civil authority have been formally declared to exist throughout the whole of the United States. In all the States civil authority has superseded the coercion of arms, and the people, by their voluntary action, are maintaining their governments in full activity and complete operation. The enforcement of the laws is no longer "obstructed in any State by combinations too powerful to be suppressed by the ordinary course of judicial proceedings;" and the animosities engendered by the war are rapidly yielding to the beneficent influences of our free institutions, and to the kindly effects of unrestricted social and commercial intercourse. An entire restoration of fraternal feeling must be the earnest wish of every patriotic heart; and we will accomplish our grandest national achievement when, forgetting the sad events of the past, and remembering only their instructive lessons, we resume our onward career as a free, prosperous, and united people.

In my message of the 4th of December, 1865, Congress was informed of the measures which had been instituted by the Executive with a view to the gradual restoration of the States in which the insurrection occurred to their relations with the General Government. Provisional Governors had been appointed, conventions called, Governors elected, Legislatures assembled, and Senators and Representatives chosen to the Congress of the United States. Courts had been opened for the enforcement of laws long in abeyance. The blockade had been removed, custom-houses reëstablished, and the internal revenue laws put in force, in order that the people might contribute to the national income. Postal operations had been renewed, and efforts were being made to restore them to their former condition of efficiency. The States themselves had been asked to take part in the high function of amending the Constitution, and of thus sanctioning the extinction of African slavery as one of the legitimate results of our internecine struggle.

Having progressed thus far, the Executive Department found that it had accomplished nearly all that was within the scope of its constitutional authority. One thing, however, yet remained to be done before the work of restoration could be completed, and that was the admission to Congress of loyal Senators and Representatives from the States whose people had rebelled against the lawful authority of the General Government. This question devolved upon the respective Houses, which, by the Constitution, are made the judges of the elections, returns, and qualifications of their own members; and its consideration at once engaged the attention of Congress.

In the mean time, the Executive Department—no other plan having been proposed by Congress—continued its efforts to perfect, as far as was practicable, the restoration of the proper relations between the citizens of the respective States, the States, and the Federal Government, extending, from time to time, as the public interests seemed to require, the judicial, revenue, and postal systems of the country. With the advice and consent of the Senate, the necessary officers were appointed, and appropriations made by Congress for the payment of their salaries. The proposition to amend the Federal Constitution, so as to prevent the existence of slavery within the

United States or any place subject to their jurisdiction, was ratified by the requisite number of States; and on the 18th day of December, 1865, it was officially declared to have become valid as a part of the Constitution of the United States. All of the States in which the insurrection had existed promptly amended their constitutions, so as to make them conform to the great change thus effected in the organic law of the land; declared null and void all ordinances and laws of secession; repudiated all pretended debts and obligations created for the revolutionary purposes of the insurrection; and proceeded, in good faith, to the enactment of measures for the protection and amelioration of the condition of the colored race. Congress, however, yet hesitated to admit any of these States to representation; and it was not until toward the close of the eighth month of the session that an exception was made in favor of Tennessee, by the admission of her Senators and Representatives.

I deem it a subject of profound regret that Congress has thus far failed to admit to seats loyal Senators and Representatives from the other States, whose inhabitants, with those of Tennessee, had engaged in the rebellion. Ten States—more than one-fourth of the whole number—remain without representation; the seats of fifty members in the House of Representatives and of twenty members in the Senate are yet vacant—not by their own consent, not by a failure of election, but by the refusal of Congress to accept their credentials. Their admission, it is believed, would have accomplished much toward the renewal and strengthening of our relations as one people, and removed serious cause for discontent on the part of the inhabitants of those States. It would have accorded with the great principle enunciated in the Declaration of American Independence, that no people ought to bear the burden of taxation, and yet be denied the right of representation. It would have been in consonance with the express provisions of the Constitution, that "each State shall have at least one Representative," and "that no State, without its consent, shall be deprived of its equal suffrage in the Senate." These provisions were intended to secure to every State, and to the people of every State, the right of representation in each House of Congress; and so important was it deemed by the framers of the Constitution that the equality of the States in the Senate should be preserved, that not even by an amendment of the Constitution can any State, without its consent, be denied a voice in that branch of the National Legislature.

It is true, it has been assumed that the existence of the States was terminated by the rebellious acts of their inhabitants, and that the insurrection having been suppressed, they were thenceforward to be considered merely as conquered territories. The Legislative, Executive, and Judicial Departments of the Government have, however, with great distinctness and uniform consistency, refused to sanction an assumption so incompatible with the nature of our republican system, and with the professed objects of the war. Throughout the recent legislation of Congress the undeniable fact makes itself apparent, that these ten political communities are nothing less than States of this Union. At the very commencement of the rebellion each House declared, with a unanimity as remarkable as it was significant, that the war was not "waged, on our part, in any spirit of oppression, nor for any purpose of conquest or subjugation, nor purpose of overthrowing or interfering with the rights or established institutions of those States, but to defend and maintain the supremacy of the Constitution and all laws made in pursuance thereof, and to preserve the Union with all the dignity, equality, and rights of the several States unimpaired; and that as soon as these objects" were "accomplished, the war ought to cease." In some instances, Senators were permitted to con-



tinue their legislative functions, while in other instances Representatives were elected and admitted to seats after their States had formally declared their right to withdraw from the Union, and were endeavoring to maintain that right by force. All of the States whose people were in insurrection as States were included in the apportionment of the direct tax of twenty millions of dollars annually laid upon the United States by the act approved August 5, 1861. Congress, by the act of March 4, 1862, and by the apportionment of representation thereunder, also recognized their presence as States in the Union; and they have, for judicial purposes, been divided into districts, as States alone can be divided. The same recognition appears in the recent legislation in reference to Tennessee, which evidently rests upon the fact that the functions of the State were not destroyed by the rebellion, but merely suspended; and that principle is of course applicable to those States which, like Tennessee, attempted to renounce their places in the Union.

The action of the Executive Department of the Government upon this subject has been equally definite and uniform, and the purpose of the war was specifically stated in the proclamation issued by my predecessor on the 22d day of September, 1862. It was then solemnly proclaimed and declared that "hereafter, as heretofore, the war will be prosecuted for the object of practically restoring the constitutional relation between the United States and each of the States and the people thereof, in which States that relation is or may be suspended or disturbed."

The recognition of the States by the Judicial Department of the Government has also been clear and conclusive in all proceedings affecting them as States, had in the Supreme, Circuit, and District Courts.

In the admission of Senators and Representatives from any and all of the States, there can be no just ground of apprehension that persons who are disloyal will be clothed with the powers of legislation: for this could not happen when the Constitution and the laws are enforced by a vigilant and faithful Congress. Each House is made the "judge of the elections, returns, and qualifications of its own members," and may, "with the concurrence of two-thirds, expel a member." When a Senator or Representative presents his certificate of election, he may at once be admitted or rejected; or, should there be any question as to his eligibility, his credentials may be referred for investigation to the appropriate committee. If admitted to a seat, it must be upon evidence satisfactory to the House of which he thus becomes a member, that he possesses the requisite constitutional and legal qualifications. If refused admission as a member for want of due allegiance to the Government, and returned to his constituents, they are admonished that none but persons loyal to the United States will be allowed a voice in the legislative councils of the nation, and the political power and moral influence of Congress are thus effectively exerted in the interests of loyalty to the Government and fidelity to the Union. Upon this question, so vitally affecting the restoration of the Union and the permanency of our present form of government, my convictions, heretofore expressed, have undergone no change; but, on the contrary, their correctness has been confirmed by reflection and time. If the admission of loyal members to seats in the respective Houses of Congress was wise and expedient a year ago, it is no less wise and expedient now. If this anomalous condition is right now—if, in the exact condition of these States at the present time, it is lawful to exclude them from representation, I do not see that the question will be changed by the efflux of time. Ten years hence, if these States remain as they are, the right of representation will be no stronger—the right of exclusion will be no weaker.

The Constitution of the United States makes it

the duty of the President to recommend to the consideration of Congress "such measures as he shall judge necessary or expedient." I know of no measure more imperatively demanded by every consideration of national interest, sound policy, and equal justice, than the admission of loyal members from the now unrepresented States. This would consummate the work of restoration, and exert a most salutary influence in the reestablishment of peace, harmony, and fraternal feeling. It would tend greatly to renew the confidence of the American people in the vigor and stability of their institutions. It would bind us more closely together as a nation, and enable us to show to the world the inherent and recuperative power of a Government founded upon the will of the people, and established upon the principle of liberty, justice, and intelligence. Our increased strength and enhanced prosperity would irrefragably demonstrate the fallacy of the arguments against free institutions drawn from our recent national disorders by the enemies of republican government. The admission of loyal members from the States now excluded from Congress, by allaying doubt and apprehension, would turn capital, now awaiting an opportunity for investment, into the channels of trade and industry. It would alleviate the present troubled condition of those States, and, by inducing immigration, aid in the settlement of fertile regions now uncultivated, and lead to an increased production of those staples which have added so greatly to the wealth of the nation and the commerce of the world. New fields of enterprise would be opened to our progressive people, and soon the devastations of war would be repaired, and all traces of our domestic differences effaced from the minds of our countrymen.

In our efforts to preserve "the unity of government which constitutes us one people," by restoring the States to the condition which they held prior to the rebellion, we should be cautious, lest, having rescued our nation from perils of threatened disintegration, we resort to consolidation, and in the end absolute despotism, as a remedy for the recurrence of similar troubles. The war having terminated, and with it all occasion for the exercise of powers of doubtful constitutionality, we should hasten to bring legislation within the boundaries prescribed by the Constitution, and to return to the ancient landmarks established by our fathers for the guidance of succeeding generations. "The Constitution which at any time exists, until changed by an explicit and authentic act of the whole people, is sacredly obligatory upon all." "If, in the opinion of the people, the distribution or modification of the constitutional powers be, in any particular, wrong, let it be corrected by an amendment in the way in which the Constitution designates, but let there be no change by usurpation; for" "it is the customary weapon by which free governments are destroyed." Washington spoke these words to his countrymen, when, followed by their love and gratitude, he voluntarily retired from the cares of public life. "To keep in all things within the pale of our constitutional powers, and cherish the Federal Union as the only rock of safety," were prescribed by Jefferson as rules of action to endear to his "countrymen the true principles of their Constitution, and promote a Union of sentiment and action equally auspicious to their happiness and safety." Jackson held that the action of the General Government should always be strictly confined to the sphere of its appropriate duties, and justly and forcibly urged that our Government is not to be maintained nor our Union preserved "by invasions of the rights and powers of the several States. In thus attempting to make our General Government strong we make it weak. Its true strength consists in leaving individuals and States as much as possible to themselves; in making itself felt, not in its power, but in its beneficence; not in its control, but in its protection; not in binding the



States more closely to the centre, but leaving each to move unobstructed in its proper constitutional orbit." These are the teachings of men whose deeds and services have made them illustrious, and who, long since withdrawn from the scenes of life, have left to their country the rich legacy of their example, their wisdom, and their patriotism. Drawing fresh inspiration from their lessons, let us emulate them in love of country and respect for the Constitution and the laws.

The report of the Secretary of the Treasury affords much information respecting the revenue and commerce of the country. His views upon the currency, and with reference to a proper adjustment of our revenue system, internal as well as impost, are commended to the careful consideration of Congress. In my last Annual Message I expressed my general views upon these subjects. I need now only call attention to the necessity of carrying into every department of the Government a system of rigid accountability, thorough retrenchment, and wise economy. With no exceptional nor unusual expenditures, the oppressive burdens of taxation can be lessened by such a modification of our revenue laws as will be consistent with the public faith, and the legitimate and necessary wants of the Government.

The report presents a much more satisfactory condition of our finances than one year ago the most sanguine could have anticipated. During the fiscal year ending the 30th June, 1865, the last year of the war, the public debt was increased \$941,902,537, and on the 31st of October, 1865, it amounted to \$2,740,854,750. On the 31st day of October, 1866, it had been reduced to \$2,551,310,066, the diminution, during a period of fourteen months, commencing September 1, 1865, and ending October 31, 1866, having been \$206,379,565. In the last annual report on the state of the finances, it was estimated that during the three-quarters of the fiscal year ending the 30th June last, the debt would be increased \$112,194,947. During that period, however, it was reduced \$31,196,387, the receipts of the year having been \$89,905,905 more, and the expenditures \$200,529,235 less than the estimates. Nothing could more clearly indicate than these statements the extent and availability of the national resources, and the rapidity and safety with which, under our form of government, great military and naval establishments can be disbanded, and expenses reduced from a war to a peace footing.

During the fiscal year ending the 30th of June, 1866, the receipts were \$558,032,620, and the expenditures \$520,750,940, leaving an available surplus of \$37,281,680. It is estimated that the receipts for the fiscal year ending the 30th June, 1867, will be \$475,061,386, and that the expenditures will reach the sum of \$316,428,078, leaving in the Treasury a surplus of \$158,633,308. For the fiscal year ending June 30, 1868, it is estimated that the receipts will amount to \$436,000,000, and that the expenditures will be \$350,247,641—showing an excess of \$85,752,359 in favor of the Government. These estimated receipts may be diminished by a reduction of excise and import duties; but after all necessary reductions shall have been made, the revenue of the present and of following years will doubtless be sufficient to cover all legitimate charges upon the Treasury, and leave a large annual surplus to be applied to the payment of the principal of the debt. There seems now to be no good reason why taxes may not be reduced as the country advances in population and wealth, and yet the debt be extinguished within the next quarter of a century.

The report of the Secretary of War furnishes valuable and important information in reference to the operations of his Department during the past year. Few volunteers now remain in the service, and they are being discharged as rapidly as they can be replaced by regular troops. The army has been promptly paid, carefully provided with medical

treatment, well sheltered and subsisted, and is to be furnished with breech-loading small-arms. The military strength of the nation has been unimpaired by the discharge of volunteers, the disposition of un-serviceable or perishable stores, and the retrenchment of expenditure. Sufficient war material to meet any emergency has been retained, and, from the disbanded volunteers standing ready to respond to the national call, large armies can be rapidly organized, equipped, and concentrated. Fortifications on the coast and frontier have received, or are being prepared for more powerful armaments; lake surveys and harbor and river improvements are in course of energetic prosecution. Preparations have been made for the payment of the additional bounties authorized during the recent session of Congress, under such regulations as will protect the Government from fraud, and secure to the honorably-discharged soldier the well-earned reward of his faithfulness and gallantry. More than six thousand maimed soldiers have received artificial limbs or other surgical apparatus; and forty-one national cemeteries, containing the remains of 104,526 Union soldiers, have already been established. The total estimate of military appropriations is \$25,205,669.

It is stated in the report of the Secretary of the Navy that the naval force at this time consists of two hundred and seventy-eight vessels, armed with two thousand three hundred and fifty-one guns. Of these, one hundred and fifteen vessels, carrying one thousand and twenty-nine guns, are in commission, distributed chiefly among seven squadrons. The number of men in the service is thirteen thousand six hundred. Great activity and vigilance have been displayed by all the squadrons, and their movements have been judiciously and efficiently arranged in such manner as would best promote American commerce, and protect the rights and interests of our countrymen abroad. The vessels unemployed are undergoing repairs, or are laid up until their services may be required. Most of the iron-clad fleet is at League Island, in the vicinity of Philadelphia, a place which, until decisive action should be taken by Congress, was selected by the Secretary of the Navy as the most eligible location for that class of vessels. It is important that a suitable public station should be provided for the iron-clad fleet. It is intended that these vessels shall be in proper condition for any emergency, and it is desirable that the bill accepting League Island for naval purposes, which passed the House of Representatives at its last session, should receive final action at an early period, in order that there may be a suitable public station for this class of vessels, as well as a navy-yard of area sufficient for the wants of the service, on the Delaware River. The naval pension fund amounts to \$11,750,000, having been increased \$2,750,000 during the year. The expenditures of the Department for the fiscal year ending 30th June last were \$43,324,526, and the estimates for the coming year amount to \$23,568,436. Attention is invited to the condition of our seamen, and the importance of legislative measures for their relief and improvement. The suggestions in behalf of this deserving class of our fellow-citizens are earnestly recommended to the favorable attention of Congress.

The report of the Postmaster-General presents a most satisfactory condition of the postal service, and submits recommendations which deserve the consideration of Congress. The revenues of the Department for the year ending June 30, 1866, were \$14,386,986, and the expenditures \$15,352,079, showing an excess of the latter of \$965,093. In anticipation of this deficiency, however, a special appropriation was made by Congress in the act approved July 23, 1866. Including the standing appropriation of \$700,000 for free mail matter, as a legitimate portion of the revenues yet remaining unexpended, the actual deficiency for the past year is only \$265,093—a sum within \$51,141 of the amount estimated in the



annual report of 1864. The decrease of revenue compared with the previous year was one and one-fifth per cent., and the increase of expenditures, owing principally to the enlargement of the mail service in the South, was twelve per cent. On the 30th of June last there were in operation six thousand nine hundred and thirty mail routes, with an aggregate length of one hundred and eighty thousand nine hundred and twenty-one miles, an aggregate annual transportation of seventy-one million eight hundred and thirty-seven thousand nine hundred and fourteen miles, and an annual aggregate cost, including all expenditures, of \$8,410,184. The length of railroad routes is thirty-two thousand and ninety-two miles, and the annual transportation thirty million six hundred and nine thousand four hundred and sixty-seven miles. The length of steamboat routes is fourteen thousand three hundred and forty-six miles, and the annual transportation three million four hundred and eleven thousand nine hundred and sixty-two miles. The mail service is rapidly increasing throughout the whole country, and its steady extension in the Southern States indicates their constantly improving condition. The growing importance of the foreign service also merits attention. The Post-office Department of Great Britain and our own have agreed upon a preliminary basis for a new postal convention, which it is believed will prove eminently beneficial to the commercial interests of the United States, inasmuch as it contemplates a reduction of the international letter postage to one-half the existing rates; a reduction of postage with all other countries to and from which correspondence is transmitted in the British mail, or in closed mails through the United Kingdom; the establishment of uniform and reasonable charges for the sea and territorial transit of correspondence in closed mails; and an allowance to each post-office department of the right to use all mail communications established under the authority of the other for the dispatch of correspondence, either in open or closed mails, on the same terms as those applicable to the inhabitants of the country providing the means of transmission.

The report of the Secretary of the Interior exhibits the condition of those branches of the public service which are committed to his supervision. During the last fiscal year four million six hundred and twenty-nine thousand three hundred and twelve acres of public land were disposed of, one million eight hundred and ninety-two thousand five hundred and sixteen acres of which were entered under the homestead act. The policy originally adopted relative to the public lands has undergone essential modifications. Immediate revenue, and not their rapid settlement, was the cardinal feature of our land system. Long experience and earnest discussion have resulted in the conviction that the early development of our agricultural resources, and the diffusion of an energetic population over our vast territory, are objects of far greater importance to the national growth and prosperity than the proceeds of the sale of the land to the highest bidder in open market. The pre-emption laws confer upon the pioneer who complies with the terms they impose the privilege of purchasing a limited portion of "unoffered lands" at the minimum price. The homestead enactments relieve the settler from the payment of purchase-money, and secure him a permanent home, upon the condition of residence for a term of years. This liberal policy invites emigration from the Old, and from the more crowded portions of the New World. Its propitious results are undoubted, and will be more signally manifested when time shall have given to it a wider development.

Congress has made liberal grants of public land to corporations, in aid of the construction of railroads and other internal improvements. Should this policy hereafter prevail, more stringent provisions will be required to secure a faithful application of the

fund. The title to the lands should not pass, by patent or otherwise, but remain in the Government and subject to its control until some portion of the road has been actually built. Portions of them might then, from time to time, be conveyed to the corporation, but never in a greater ratio to the whole quantity embraced by the grants than the completed parts bear to the entire length of the projected improvement. The restriction would not operate to the prejudice of any undertaking conceived in good faith and executed with reasonable energy, as it is the settled practice to withdraw from market the lands falling within the operation of such grants, and thus exclude the inception of a subsequent adverse right. A breach of the conditions which Congress may deem proper to impose should work a forfeiture of claim to the lands so withdrawn but unconveyed, and of title to the lands conveyed which remain unsold.

Operations on the several lines of the Pacific Railroad have been prosecuted with unexampled vigor and success. Should no unforeseen causes of delay occur, it is confidently anticipated that this great thoroughfare will be completed before the expiration of the period designated by Congress.

During the last fiscal year the amount paid to pensioners, including the expenses of disbursement, was thirteen million four hundred and fifty-nine thousand nine hundred and ninety-six dollars; and fifty thousand one hundred and seventy-seven names were added to the pension rolls. The entire number of pensioners June 30, 1866, was one hundred and twenty-six thousand seven hundred and twenty-two. This fact furnishes melancholy and striking proof of the sacrifices made to vindicate the constitutional authority of the Federal Government, and to maintain inviolate the integrity of the Union. They impose upon us corresponding obligations. It is estimated that thirty-three million dollars will be required to meet the exigencies of this branch of the service during the next fiscal year.

Treaties have been concluded with the Indians, who, enticed into armed opposition to our Government at the outbreak of the rebellion, have unconditionally submitted to our authority, and manifested an earnest desire for a renewal of friendly relations.

During the year ending September 30, 1866, eight thousand seven hundred and sixteen patents for useful invention and design were issued, and at that date the balance in the Treasury to the credit of the patent fund was two hundred and twenty-eight thousand two hundred and ninety-seven dollars.

As a subject upon which depends an immense amount of the production and commerce of the country, I recommend to Congress such legislation as may be necessary for the preservation of the levees of the Mississippi River. It is a matter of national importance that early steps should be taken not only to add to the efficiency of these barriers against destructive inundations, but for the removal of all obstructions to the free and safe navigation of that great channel of trade and commerce.

The District of Columbia, under existing laws, is not entitled to that representation in the national councils which, from our earliest history, has been uniformly accorded to each Territory established from time to time within our limits. It maintains peculiar relations to Congress, to whom the Constitution has granted the power of exercising exclusive legislation over the seat of Government. Our fellow-citizens residing in the District, whose interests are thus confided to the special guardianship of Congress, exceed in number the population of several of our Territories, and no just reason is perceived why a delegate of their choice should not be admitted to a seat in the House of Representatives. No mode seems so appropriate and effectual of enabling them to make known their peculiar condition and wants, and of securing the local legislation



adapted to them. I therefore recommend the passage of a law authorizing the electors of the District of Columbia to choose a delegate, to be allowed the same rights and privileges as a delegate representing a Territory. The increasing enterprise and rapid progress of improvement in the District are highly gratifying, and I trust that the efforts of the municipal authorities to promote the prosperity of the national metropolis will receive the efficient and generous coöperation of Congress.

The report of the Commissioner of Agriculture reviews the operations of his Department during the past year, and asks the aid of Congress in its efforts to encourage those States which, scourged by war, are now earnestly engaged in the reorganization of domestic industry.

It is a subject of congratulation that no foreign combinations against our domestic peace and safety, or our legitimate influence among the nations, have been formed or attempted. While sentiments of reconciliation, loyalty, and patriotism have increased at home, a more just consideration of our national character and rights has been manifested by foreign nations.

The entire success of the Atlantic Telegraph between the coast of Ireland and the Province of Newfoundland, is an achievement which has been justly celebrated in both hemispheres as the opening of an era in the progress of civilization. There is reason to expect that equal success will attend, and even greater results follow, the enterprise for connecting the two continents through the Pacific Ocean by the projected line of telegraph between Kamschatka and the Russian possessions in America.

The resolution of Congress protesting against pardons by foreign governments of persons convicted of infamous offences, on condition of emigration to our country, has been communicated to the states with which we maintain intercourse, and the practice, so justly the subject of complaint on our part, has not been renewed.

The congratulations of Congress to the Emperor of Russia, upon his escape from attempted assassination, have been presented to that humane and enlightened ruler, and received by him with expressions of grateful appreciation.

The Executive, warned of an attempt by Spanish-American adventurers to induce the emigration of freedmen of the United States to a foreign country, protested against the project as one which, if consummated, would reduce them to a bondage even more oppressive than that from which they have just been relieved. Assurance has been received from the government of the state in which the plan was matured, that the proceeding will meet neither its encouragement nor approval. It is a question worthy of your consideration, whether our laws upon this subject are adequate to the prevention or punishment of the crime thus meditated.

In the month of April last, as Congress is aware, a friendly arrangement was made between the Emperor of France and the President of the United States for the withdrawal from Mexico of the French military expeditionary forces. This withdrawal was to be effected in three detachments, the first of which, it was understood, would leave Mexico in November now past, the second in March next, and the third and last in November, 1867. Immediately upon the completion of the evacuation the French Government was to assume the same attitude of non-intervention, in regard to Mexico, as is held by the Government of the United States. Repeated assurances have been given by the Emperor, since that agreement, that he would complete the promised evacuation within the period mentioned, or sooner.

It was reasonably expected that the proceedings thus contemplated would produce a crisis of great political interest in the Republic of Mexico. The newly-appointed Minister of the United States, Mr. Campbell, was therefore sent forward, on the 9th day

of November last, to assume his proper functions as Minister Plenipotentiary of the United States to that Republic. It was also thought expedient that he should be attended in the vicinity of Mexico by the Lieutenant-General of the army of the United States, with the view of obtaining such information as might be important to determine the course to be pursued by the United States in reëstablishing and maintaining necessary and proper intercourse with the Republic of Mexico. Deeply interested in the cause of liberty and humanity, it seemed an obvious duty on our part to exercise whatever influence we possessed for the restoration and permanent establishment in that country of a domestic and republican form of government.

Such was the condition of affairs in regard to Mexico, when, on the 22d of November last, official information was received from Paris that the Emperor of France had some time before decided not to withdraw a detachment of his forces in the month of November past, according to engagement, but that this decision was made with the purpose of withdrawing the whole of those forces in the ensuing spring. Of this determination, however, the United States had not received any notice or intimation; and, so soon as the information was received by the Government, care was taken to make known its dissent to the Emperor of France.

I cannot forego the hope that France will reconsider the subject, and adopt some resolution in regard to the evacuation of Mexico which will conform as nearly as practicable with the existing engagement, and thus meet the just expectations of the United States. The papers relating to the subject will be laid before you. It is believed that, with the evacuation of Mexico by the expeditionary forces, no subject for serious difference between France and the United States would remain. The expressions of the Emperor and people of France warrant a hope that the traditional friendship between the two countries might in that case be renewed and permanently restored.

A claim of a citizen of the United States for indemnity for spoiliations committed on the high seas by the French authorities, in the exercise of a belligerent power against Mexico, has been met by the Government of France with a proposition to defer settlement until a mutual convention for the adjustment of all claims of citizens and subjects of both countries, arising out of the recent wars on this continent, shall be agreed upon by the two countries. The suggestion is not deemed unreasonable, but it belongs to Congress to direct the manner in which claims for indemnity by foreigners, as well as by citizens of the United States, arising out of the late civil war, shall be adjudicated and determined. I have no doubt that the subject of all such claims will engage your attention at a convenient and proper time.

It is a matter of regret that no considerable advance has been made toward an adjustment of the differences between the United States and Great Britain, arising out of the depredations upon our national commerce and other trespasses committed during our civil war by British subjects, in violation of international law and treaty obligations. The delay, however, may be believed to have resulted in no small degree from the domestic situation of Great Britain. An entire change of ministry occurred in that country during the last session of Parliament. The attention of the new ministry was called to the subject at an early day, and there is some reason to expect that it will now be considered in a becoming and friendly spirit. The importance of an early disposition of the question cannot be exaggerated. Whatever might be the wishes of the two Governments, it is manifest that good-will and friendship between the two countries cannot be established until a reciprocity, in the practice of good faith and neutrality, shall be restored between the respective nations.



On the 6th of June last, in violation of our neutrality laws, a military expedition and enterprise against the British North American colonies was projected and attempted to be carried on within the territory and jurisdiction of the United States. In obedience to the obligation imposed upon the Executive by the Constitution, to see that the laws are faithfully executed, all citizens were warned, by proclamation, against taking part in or aiding such unlawful proceedings, and the proper civil, military, and naval officers were directed to take all necessary measures for the enforcement of the laws. The expedition failed, but it has not been without its painful consequences. Some of our citizens who, it was alleged, were engaged in the expedition, were captured, and have been brought to trial as for a capital offence in the province of Canada. Judgment and sentence of death have been pronounced against some, while others have been acquitted. Fully believing in the maxim of government that severity of civil punishment for misguided persons who have engaged in revolutionary attempts which have disastrously failed is unsound and unwise, such representations have been made to the British Government, in behalf of the convicted persons, as, being sustained by an enlightened and humane judgment, will, it is hoped, induce in their cases an exercise of clemency, and judicious amnesty to all who were engaged in the movement. Counsel has been employed by the Government to defend citizens of the United States on trial for capital offences in Canada, and a discontinuance of the prosecutions which were instituted in the courts of the United States against those who took part in the expedition has been directed.

I have regarded the expedition as not only political in its nature, but as also in a great measure foreign from the United States in its causes, character, and objects. The attempt was understood to be made in sympathy with an insurgent party in Ireland, and, by striking at a British province on this continent, was designed to aid in obtaining redress for political grievances which, it was assumed, the people of Ireland had suffered at the hands of the British Government during a period of several centuries. The persons engaged in it were chiefly natives of that country, some of whom had, while others had not, become citizens of the United States under our general laws of naturalization. Complaints of misgovernment in Ireland continually engage the attention of the British nation, and so great an agitation is now prevailing in Ireland that the British Government have deemed it necessary to suspend the writ of *habeas corpus* in that country. These circumstances must necessarily modify the opinion which we might otherwise have entertained in regard to an expedition expressly prohibited by our neutrality laws. So long as those laws remain upon our statute-books they should be faithfully executed, and if they operate harshly, unjustly, or oppressively, Congress alone can apply the remedy by their modification or repeal.

Political and commercial interests of the United States are not unlikely to be affected in some degree by events which are transpiring in the eastern regions of Europe, and the time seems to have come when our Government ought to have a proper diplomatic representation in Greece.

This Government has claimed for all persons not convicted, or accused, or suspected of crime, an absolute political right of self-expatriation, and a choice of new national allegiance. Most of the European States have dissented from this principle, and have claimed a right to hold such of their subjects as have emigrated to and been naturalized in the United States, and afterward returned on transient visits to their native countries, to the performance of military service in like manner as resident subjects. Complaints arising from the claim in this respect made by foreign States, have heretofore been matters of controversy between the United States and

some of the European powers, and the irritation consequent upon the failure to settle this question increased during the war in which Prussia, Italy, and Austria were recently engaged. While Great Britain has never acknowledged the right of expatriation, she has not for some years past practically insisted upon the opposite doctrine. France has been equally forbearing; and Prussia has proposed a compromise, which, although evincing increased liberality, has not been accepted by the United States. Peace is now prevailing everywhere in Europe, and the present seems to be a favorable time for an assertion by Congress of the principle, so long maintained by the Executive Department, that naturalization by one state fully exempts the native-born subject of any other state from the performance of military service under any foreign Government, so long as he does not voluntarily renounce its rights and benefits.

In the performance of a duty imposed upon me by the Constitution, I have thus submitted to the Representatives of the States and of the people such information of our domestic and foreign affairs as the public interests seem to require. Our Government is now undergoing its most trying ordeal, and my earnest prayer is, that the peril may be successfully and finally passed, without impairing its original strength and symmetry. The interests of the nation are best to be promoted by the revival of fraternal relations, the complete obliteration of our past differences, and the reinauguration of all the pursuits of peace. Directing our efforts to the early accomplishment of these great ends, let us endeavor to preserve harmony between the coördinate Departments of the Government, that each in its proper sphere may cordially coöperate with the other in securing the maintenance of the Constitution, the preservation of the Union, and the perpetuity of our free institutions.

ANDREW JOHNSON.

WASHINGTON, December 3, 1866.

*Message of PRESIDENT JOHNSON to the Senate, on February 19, 1866, with his Objections to the Act entitled "An Act to establish a Bureau for the Relief of Freedmen, Refugees, and Abandoned Lands."*

*To the Senate of the United States.*

I have examined with care the bill which originated in the Senate, and has been passed by the two Houses of Congress, to amend an act entitled "An Act to establish a Bureau for the Relief of Freedmen and Refugees," and for other purposes. Having, with much regret, come to the conclusion that it would not be consistent with the public welfare to give my approval to the measure, I return the bill to the Senate with my objections to its becoming a law.

I might call to mind in advance of these objections that there is no immediate necessity for the proposed measure. The act to establish a Bureau for the Relief of Freedmen and Refugees, which was approved in the month of March last, has not yet expired. It was thought stringent and extensive enough for the purpose in view in time of war. Before it ceases to have effect, further experience may assist to guide us to a wise conclusion as to the policy to be adopted in time of peace.

I share with Congress the strongest desire to secure to the freedmen the full enjoyment of their freedom and property, and their entire independence and equality in making contracts for their labor; but the bill before me contains provisions which in my opinion are not warranted by the Constitution, and are not well suited to accomplish the end in view.

The bill proposes to establish, by authority of Congress, military jurisdiction over all parts of the United States containing refugees and freedmen. It would, by its very nature, apply with most force to those parts of the United States in which the freed-



men most abound; and it expressly extends the existing temporary jurisdiction of the Freedmen's Bureau with greatly enlarged powers over those States "in which the ordinary course of judicial proceedings has been interrupted by the rebellion." The source from which this military jurisdiction is to emanate is none other than the President of the United States, acting through the War Department and the Commissioner of the Freedmen's Bureau. The agents to carry out this military jurisdiction are to be selected either from the army or from civil life; the country is to be divided into districts and sub-districts; and the number of salaried agents to be employed may be equal to the number of counties or parishes in all the United States where freedmen and refugees are to be found.

The subjects over which this military jurisdiction is to extend in every part of the United States include protection to "all employés, agents, and officers of this bureau in the exercise of the duties imposed" upon them by the bill. In eleven States it is further to extend over all cases affecting freedmen and refugees discriminated against "by local law, custom, or prejudice." In those eleven States the bill subjects any white person who may be charged with depriving a freedman of "any civil rights or immunities belonging to white persons" to imprisonment or fine, or both, without, however, defining the "civil rights and immunities" which are thus to be secured to the freedmen by military law. This military jurisdiction also extends to all questions that may arise respecting contracts. The agent who is thus to exercise the office of a military judge may be a stranger, entirely ignorant of the laws of the place, and exposed to the errors of judgment to which all men are liable. The exercise of power, over which there is no legal supervision, by so vast a number of agents as is contemplated by the bill, must, by the very nature of man, be attended by acts of caprice, injustice, and passion.

The trials, having their origin under this bill, are to take place without the intervention of a jury, and without any fixed rules of law or evidence. The rules on which offences are to be "heard and determined" by the numerous agents, are such rules and regulations as the President, through the War Department, shall prescribe. No previous presentment is required, nor any indictment charging the commission of a crime against the laws; but the trial must proceed on charges and specifications. The punishment will be, not what the law declares, but such as a court-martial may think proper; and from these arbitrary tribunals there lies no appeal, no writ of error to any of the courts in which the Constitution of the United States vests exclusively the judicial power of the country.

While the territory and the classes of actions and offences that are made subject to this measure are so extensive, the bill itself, should it become a law, will have no limitation in point of time, but will form a part of the permanent legislation of the country. I cannot reconcile a system of military jurisdiction of this kind with the words of the Constitution, which declare that "no person shall be held to answer for a capital or otherwise infamous crime unless upon a presentment or indictment of a grand jury, except in cases arising in the land and naval forces, or in the militia when in actual service in time of war or public danger;" and that "in all criminal prosecutions the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State or district wherein the crime shall have been committed." The safeguards which the experience and wisdom of ages taught our fathers to establish as securities for the protection of the innocent, the punishment of the guilty, and the equal administration of justice, are to be set aside, and for the sake of a more vigorous interposition in behalf of justice, we are to take the risk of the many acts of injustice that would necessarily follow from an almost countless

number of agents established in every parish or county in nearly a third of the States of the Union, over whose decisions there is to be no supervision or control by the Federal courts. The power that would be thus placed in the hands of the President is such as in time of peace certainly ought never to be intrusted to any one man.

If it be asked whether the creation of such a tribunal within a State is warranted as a measure of war, the question immediately presents itself whether we are still engaged in war. Let us not unnecessarily disturb the commerce and credit and industry of the country by declaring to the American people and to the world that the United States are still in a condition of civil war. At present there is no part of our country in which the authority of the United States is disputed. Offences that may be committed by individuals should not work a forfeiture of the rights of whole communities. The country has returned or is returning to a state of peace and industry, and the rebellion is in fact at an end. The measure, therefore, seems to be as inconsistent with the actual condition of the country as it is at variance with the Constitution of the United States.

If, passing from general considerations, we examine the bill in detail, it is open to weighty objections.

In time of war it was eminently proper that we should provide for those who were passing suddenly from a condition of bondage to a state of freedom. But this bill proposes to make the Freedmen's Bureau, established by the act of 1865 as one of many great and extraordinary military measures to suppress a formidable rebellion, a permanent branch of the public administration, with its powers greatly enlarged. I have no reason to suppose, and I do not understand it to be alleged, that the act of March, 1865, has proved deficient for the purpose for which it was passed, although at that time, and for a considerable period thereafter, the Government of the United States remained unacknowledged in most of the States whose inhabitants had been involved in the rebellion. The institution of slavery, for the military destruction of which the Freedmen's Bureau was called into existence as an auxiliary, has been already effectually and finally abrogated throughout the whole country by an amendment of the Constitution of the United States, and practically its eradication has received the assent and concurrence of most of those States in which it at any time had an existence. I am not, therefore, able to discern, in the condition of the country, any thing to justify an apprehension that the powers and agencies of the Freedmen's Bureau, which were effective for the protection of freedmen and refugees during the actual continuance of hostilities and of African servitude, will now, in a time of peace and after the abolition of slavery, prove inadequate to the same proper ends. If I am correct in these views, there can be no necessity for the enlargement of the powers of the bureau, for which provision is made in the bill.

The third section of the bill authorizes a general and unlimited grant of support to the destitute and suffering refugees and freedmen, their wives and children. Succeeding sections make provision for the rent or purchase of landed estates for freedmen, and for the erection for their benefit of suitable buildings for asylums and schools, the expenses to be defrayed from the Treasury of the whole people. The Congress of the United States has never heretofore thought itself empowered to establish asylums beyond the limits of the District of Columbia, except for the benefit of our disabled soldiers and sailors. It has never founded schools for any class of our own people, not even for the orphans of those who have fallen in the defence of the Union, but has left the care of education to the much more competent and efficient control of the States, of communities, of private associations, and of individuals. It has never deemed itself authorized to expend the public money for the rent or purchase of homes for the



thousands, not to say millions, of the white race, who are honestly toiling from day to day for their subsistence. A system for the support of indigent persons in the United States, was never contemplated by the authors of the Constitution, nor can any good reason be advanced why, as a permanent establishment, it should be founded for one class or color of our people more than another. Pending the war, many refugees and freedmen received support from the Government, but it was never intended that they should thenceforth be fed, clothed, educated, and sheltered by the United States. The idea on which the slaves were assisted to freedom was that, on becoming free, they would be a self-sustaining population. Any legislation that shall imply that they are not expected to attain a self-sustaining condition must have a tendency injurious alike to their character and their prospects.

The appointment of an agent for every county and parish will create an immense patronage; and the expense of the numerous officers and their clerks, to be appointed by the President, will be great in the beginning, with a tendency steadily to increase. The appropriations asked by the Freedmen's Bureau, as now established, for the year 1866, amount to \$11,745,000. It may be safely estimated that the cost to be incurred under the pending bill will require double that amount—more than the entire sum expended in any one year under the administration of the second Adams. If the presence of agents in every parish and county is to be considered as a war measure, opposition, or even resistance, might be provoked, so that, to give effect to their jurisdiction, troops would have to be stationed within reach of every one of them, and thus a large standing force be rendered necessary. Large appropriations would therefore be required to sustain and enforce military jurisdiction in every county or parish, from the Potomac to the Rio Grande. The condition of our fiscal affairs is encouraging; but in order to sustain the present measure of public confidence, it is necessary that we practise not merely customary economy, but, as far as possible, severe retrenchment.

In addition to the objections already stated, the fifth section of the bill proposes to take away land from its former owners without any legal proceedings being first had, contrary to that provision of the Constitution which declares that no person shall "be deprived of life, liberty, or property without due process of law." It does not appear that a part of the lands to which this section refers may not be owned by minors, or persons of unsound mind, or by those who have been faithful to all their obligations as citizens of the United States. If any portion of the land is held by such persons, it is not competent for any authority to deprive them of it. If, on the other hand, it be found that the property is liable to confiscation, even then it cannot be appropriated to public purposes until by due process of law it shall have been declared forfeited to the Government.

There is still further objection to the bill on grounds seriously affecting the class of persons to whom it is designed to bring relief. It will tend to keep the mind of the freedman in a state of uncertain expectation and restlessness, while to those among whom he lives it will be a source of constant and vague apprehension.

Undoubtedly the freedman should be protected, but he should be protected by the civil authorities, especially by the exercise of all the constitutional powers of the courts of the United States and of the States. His condition is not so exposed as may at first be imagined. He is in a portion of the country where his labor cannot well be spared. Competition for his services from planters, from those who are constructing or repairing railroads, and from capitalists in his vicinage or from other States, will enable him to command almost his own terms. He also possesses a perfect right to change his place of abode; and if, therefore, he does not find in one

community or State a mode of life suited to his desires, or proper remuneration for his labor, he can move to another, where that labor is more esteemed and better rewarded. In truth, however, each State, induced by its own wants and interests, will do what is necessary and proper to retain within its borders all the labor that is needed for the development of its resources. The laws that regulate supply and demand will maintain their force, and the wages of the laborer will be regulated thereby. There is no danger that the exceedingly great demand for labor will not operate in favor of the laborer.

Neither is sufficient consideration given to the ability of the freedmen to protect and take care of themselves. It is no more than justice to them to believe that as they have received their freedom with moderation and forbearance, so they will distinguish themselves by their industry and thrift, and soon show the world that in a condition of freedom they are self-sustaining, capable of selecting their own employment and their own places of abode, of insisting, for themselves, on a proper remuneration, and of establishing and maintaining their own asylums and schools. It is earnestly hoped that instead of wasting away, they will, by their own efforts, establish for themselves a condition of respect, ability, and prosperity. It is certain that they can attain to that condition only through their own merits and exertions.

In this connection the query presents itself, whether the system proposed by the bill will not, when put into complete operation, practically transfer the entire care, support, and control of four million emancipated slaves to agents, overseers, or taskmasters who, appointed at Washington, are to be located in every county and parish throughout the United States containing freedmen and refugees? Such a system would inevitably tend to a concentration of power in the Executive, which would enable him, if so disposed, to control the action of this numerous class and use them for the attainment of his own political ends.

I cannot but add another very grave objection to this bill. The Constitution imperatively declares, in connection with taxation, that each State shall have at least one Representative, and fixes the rule for the number to which in future times each State shall be entitled. It also provides that the Senate of the United States shall be composed of two Senators from each State, and adds with peculiar force, "that no State, without its consent, shall be deprived of its equal suffrage in the Senate." The original act was necessarily passed in the absence of the States chiefly to be affected, because their people were then contumaciously engaged in the rebellion. Now the case is changed, and some at least of those States are attending Congress by loyal Representatives, soliciting the allowance of the constitutional right of representation. At the time, however, of the consideration and the passing of this bill, there was no Senator or Representative in Congress from the eleven States which are to be mainly affected by its provisions. The very fact that reports were and are made against the good disposition of the people of that portion of the country is an additional reason why they need and should have Representatives of their own in Congress to explain their condition, reply to accusations, and assist, by their local knowledge, in the perfecting of measures immediately affecting themselves. While the liberty of deliberation would then be free, and Congress would have full power to decide according to its judgment, there could be no objection urged that the States most interested had not been permitted to be heard. The principle is firmly fixed in the minds of the American people, that there should be no taxation without representation.

Great burdens have now to be borne by all the country, and we may best demand that they shall be borne without murmur when they are voted by a



majority of the representatives of all the people. I would not interfere with the unquestionable right of Congress to judge, each House for itself, "of the elections, returns, and qualifications of its own members," but that authority cannot be construed as including the right to shut out, in time of peace, any State from the representation to which it is entitled by the Constitution. At present, all the people of eleven States are excluded—those who were most faithful during the war not less than others. The State of Tennessee, for instance, whose authorities engaged in rebellion, was restored to all her constitutional relations to the Union by the patriotism and energy of her injured and betrayed people. Before the war was brought to a termination they had placed themselves in relations with the General Government, had established a State government of their own; but as they were not included in the emancipation proclamation, they by their own act had amended their constitution so as to abolish slavery within the limits of their State. I know no reason why the State of Tennessee, for example, should not fully enjoy "all her constitutional relations to the United States."

The President of the United States stands toward the country in a somewhat different attitude from that of any member of Congress. Each member of Congress is chosen from a single district or State; the President is chosen by the people of all the States. As eleven are not at this time represented in either branch of Congress, it would seem to be his duty, on all proper occasions, to present their just claims to Congress. There always will be differences of opinion in the community, and individuals may be guilty of transgressions of the law; but these do not constitute valid objections against the right of a State to representation. I would in no wise interfere with the discretion of Congress with regard to the qualifications of members; but I hold it my duty to recommend to you, in the interests of peace and in the interests of union, the admission of every State to its share in public legislation, when, however insubordinate, insurgent, or rebellious its people may have been, it presents itself not only in an attitude of loyalty and harmony, but in the persons of Representatives whose loyalty cannot be questioned under any existing constitutional or legal test.

It is plain that an indefinite or permanent exclusion of any part of the country from representation must be attended by a spirit of disquiet and complaint. It is unwise and dangerous to pursue a course of measures which will unite a very large section of the country against another section of the country, however much the latter may preponderate. The course of emigration, the development of industry and business, and natural causes will raise up at the South men as devoted to the Union as those of any other part of the land. But if they are all excluded from Congress, if in a permanent statute they are declared not to be in full constitutional relations to the country, they may think they have cause to become a unit in feeling and sentiment against the Government. Under the political education of the American people the idea is inherent and ineradicable that the consent of the majority of the whole people is necessary to secure a willing acquiescence in legislation.

The bill under consideration refers to certain of the States as though they had not "been fully restored in all their constitutional relations to the United States." If they have not, let us at once act together to secure that desirable end at the earliest possible moment. It is hardly necessary for me to inform Congress that, in my own judgment, most of these States, so far at least as depends upon their own action, have already been fully restored, and are to be deemed as entitled to enjoy their constitutional rights as members of the Union. Reasoning from the Constitution itself, and from the actual

situation of the country, I feel not only entitled, but bound, to assume that with the Federal courts restored, and those of the several States in the full exercise of their functions, the rights and interests of all classes of the people will, with the aid of the military in cases of resistance to the laws, be essentially protected against unconstitutional infringement or violation. Should this expectation unhappily fail, which I do not anticipate, then the Executive is already fully armed with the powers conferred by the act of March, 1865, establishing the Freedmen's Bureau, and hereafter, as heretofore, he can employ the land and naval forces of the country to suppress insurrection or to overcome obstructions to the laws.

In accordance with the Constitution, I return the bill to the Senate, in the earnest hope that a measure involving questions and interests so important to the country will not become a law unless, upon deliberate consideration by the people, it shall receive the sanction of an enlightened public judgment.

ANDREW JOHNSON.

#### THE CIVIL RIGHTS BILL AND VETO.

*An Act to protect all persons in the United States in their civil rights, and furnish the means of their vindication.*

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That all persons born in the United States and not subject to any foreign power, excluding Indians not taxed, are hereby declared to be citizens of the United States; and such citizens of every race and color, without regard to any previous condition of slavery or involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall have the same right in every State and Territory in the United States to make and enforce contracts, to sue, be parties, and give evidence, to inherit, purchase, lease, sell, hold, and convey real and personal property, and to full and equal benefit of all laws and proceedings for the security of person and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, and penalties, and to none other, any law, statute, ordinance, regulation, or custom to the contrary notwithstanding.

SEC. 2. *And be it further enacted,* That any person who, under color of any law, statute, ordinance, regulation, or custom, shall subject, or cause to be subjected, any inhabitant of any State or Territory to the deprivation of any right secured or protected by this act, or to different punishment, pains, or penalties on account of such person having at any time been held in a condition of slavery or involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, or by reason of his color or race, than is prescribed for the punishment of white persons, shall be deemed guilty of a misdemeanor, and, on conviction, shall be punished by a fine not exceeding \$1,000, or imprisonment not exceeding one year, or both, in the discretion of the court.

SEC. 3. *And be it further enacted,* That the district courts of the United States, within their respective districts, shall have, exclusively of the courts of the several States, cognizance of all crimes and offences committed against the provisions of this act, and also, concurrently with the circuit courts of the United States, of all causes, civil and criminal, affecting persons who are denied or cannot enforce in the courts or judicial tribunals of the State or locality where they may be, any of the rights secured to them by the first section of this act; and if any suit or prosecution, civil or criminal, has been or shall be commenced in any State court against any such person, for any cause whatsoever, or against any officer,



civil or military, or other person, for any arrest or imprisonment, trespasses, or wrongs done or committed by virtue or under color of authority derived from this act or the act establishing a Bureau for the Relief of Freedmen and Refugees, and all acts amendatory thereof, or for refusing to do any act upon the ground that it would be inconsistent with this act, such defendants shall have the right to remove such cause for trial to the proper district or circuit court in the manner prescribed by the "Act relating to *habeas corpus* and regulating judicial proceedings in certain cases," approved March 3, 1863, and all acts amendatory thereof. The jurisdiction in civil and criminal matters hereby conferred on the district and circuit courts of the United States shall be exercised and enforced in conformity with the laws of the United States, so far as such laws are suitable to carry the same into effect; but in all cases where such laws are not adapted to the object, or are deficient in the provisions necessary to furnish suitable remedies and punish offences against law, the common law, as modified and changed by the constitution and statutes of the State wherein the court having jurisdiction of the cause, civil or criminal, is held, so far as the same is not inconsistent with the Constitution and laws of the United States, shall be extended to and govern said courts in the trial and disposition of such cause, and, if of a criminal nature, in the infliction of punishment on the party found guilty.

SEC. 4. *And be it further enacted*, That the district attorneys, marshals, and deputy marshals of the United States, the commissioners appointed by the circuit and territorial courts of the United States, with powers of arresting, imprisoning, or bailing offenders against the laws of the United States, the officers and agents of the Freedmen's Bureau, and every other officer who may be specially empowered by the President of the United States, shall be, and they are hereby, specially authorized and required, at the expense of the United States, to institute proceedings against all and every person who shall violate the provisions of this act, and cause him or them to be arrested and imprisoned, or bailed, as the case may be, for trial before such court of the United States or territorial court as by this act has cognizance of the offence. And with a view to affording reasonable protection to all persons in their constitutional rights of equality before the law, without distinction of race or color, or previous condition of slavery or involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, and to the prompt discharge of the duties of this act, it shall be the duty of the circuit courts of the United States and the superior courts of the Territories of the United States, from time to time to increase the number of commissioners, so as to afford a speedy and convenient means for the arrest and examination of persons charged with a violation of this act. And such commissioners are hereby authorized and required to exercise and discharge all the powers and duties conferred on them by this act, and the same duties with regard to offences created by this act, as they are authorized by law to exercise with regard to other offences against the laws of the United States.

SEC. 5. *And be it further enacted*, That it shall be the duty of all marshals and deputy marshals to obey and execute all warrants and precepts issued under the provisions of this act, when to them directed; and should any marshal or deputy marshal refuse to receive such warrant or other process when tendered, or to use all proper means diligently to execute the same, he shall, on conviction thereof, be fined in the sum of \$1,000, to the use of the person upon whom the accused is alleged to have committed the offence. And the better to enable the said commissioners to execute their duties faithfully and efficiently, in conformity with the Constitution of the United States and the requirements of this

act, they are hereby authorized and empowered, within their counties respectively, to appoint, in writing, under their hands, any one or more suitable persons, from time to time, to execute all such warrants and other process as may be issued by them in the lawful performance of their respective duties; and the persons so appointed to execute any warrant or process as aforesaid shall have authority to summon and call to their aid the bystanders or the *posse comitatus* of the proper county, or such portion of the land and naval forces of the United States, or the militia, as may be necessary to the performance of the duty with which they are charged, and to insure a faithful observance of the clause of the Constitution which prohibits slavery, in conformity with the provisions of this act; and said warrants shall run and be executed by said officers anywhere in the State or Territory within which they are issued.

SEC. 6. *And be it further enacted*, That any person who shall knowingly or wilfully obstruct, hinder, or prevent any officer, or other person charged with the execution of any warrant or process issued under the provisions of this act, or any person or persons lawfully assisting him or them, from arresting any person for whose apprehension such warrant or process may have been issued, or shall rescue or attempt to rescue such person from the custody of the officer, other person or persons, or those lawfully assisting as aforesaid, when so arrested pursuant to the authority herein given and declared, or shall aid, abet, or assist any person so arrested as aforesaid, directly or indirectly, to escape from the custody of the officer or other person legally authorized as aforesaid, or shall harbor or conceal any person for whose arrest a warrant or process shall have been issued as aforesaid, so as to prevent his discovery and arrest after notice or knowledge of the fact that a warrant has been issued for the apprehension of such person, shall, for either of said offences, be subject to a fine not exceeding \$1,000, and imprisonment not exceeding six months, by indictment and conviction before the district court of the United States for the district in which said offence may have been committed, or before the proper court of criminal jurisdiction, if committed within any one of the organized Territories of the United States.

SEC. 7. *And be it further enacted*, That the district attorneys, the marshals, the deputies, and the clerks of the said district and territorial courts shall be paid for their services the like fees as may be allowed to them for similar services in other cases; and in all cases where the proceedings are before a commissioner he shall be entitled to a fee of ten dollars in full for his services in each case, inclusive of all services incident to such arrest and examination. The person or persons authorized to execute the process to be issued by such commissioners for the arrest of offenders against the provisions of this act shall be entitled to a fee of five dollars for each person he or they may arrest and take before any such commissioner as aforesaid, with such other fees as may be deemed reasonable by such commissioner for such other additional services as may be necessarily performed by him or them, such as attending at the examination, keeping the prisoner in custody, and providing him with food and lodging during his detention, and until the final determination of such commissioner, and in general for performing such other duties as may be required in the premises; such fees to be made up in conformity with the fees usually charged by the officers of the courts of justice within the proper district or county, as near as may be practicable, and paid out of the Treasury of the United States on the certificate of the judge of the district within which the arrest is made, and to be recoverable from the defendant as part of the judgment in case of conviction.

SEC. 8. *And be it further enacted*, That whenever the President of the United States shall have reason to believe that offences have been or are likely to be



committed against the provisions of this act within any judicial district, it shall be lawful for him, in his discretion, to direct the judge, marshal, and district attorney of such district to attend at such place within the district, and for such time as he may designate, for the purpose of the more speedy arrest and trial of persons charged with a violation of this act; and it shall be the duty of every judge or other officer, when any such requisition shall be received by him, to attend at the place and for the time therein designated.

SEC. 9. *And be it further enacted*, That it shall be lawful for the President of the United States, or such person as he may empower for that purpose, to employ such part of the land or naval forces of the United States, or of the militia, as shall be necessary to prevent the violation and enforce the due execution of this act.

SEC. 10. *And be it further enacted*, That upon all questions of law arising in any cause under the provisions of this act, a final appeal may be taken to the Supreme Court of the United States.

The message of the President was as follows :

*To the Senate of the United States :*

I regret that the bill which has passed both Houses of Congress, entitled "An Act to protect all persons in the United States in their civil rights, and furnish the means for their vindication," contains provisions which I cannot approve, consistently with my sense of duty to the whole people and my obligations to the Constitution of the United States. I am therefore constrained to return it to the Senate, the House in which it originated, with my objections to its becoming a law.

By the first section of the bill, all persons born in the United States, and not subject to any foreign power, excluding Indians not taxed, are declared to be citizens of the United States. This provision comprehends the Chinese of the Pacific States, Indians subject to taxation, the people called Gypsies, as well as the entire race designated as blacks, people of color, negroes, mulattoes, and persons of African blood. Every individual of those races, born in the United States, is by the bill made a citizen of the United States. It does not purport to declare or confer any other right of citizenship than Federal citizenship. It does not purport to give these classes of persons any *status* as citizens of States, except that which may result from their *status* as citizens of the United States. The power to confer the right of State citizenship is just as exclusively with the several States as the power to confer the right of Federal citizenship is with Congress.

The right of Federal citizenship thus to be conferred on the several excepted races before mentioned is now, for the first time, proposed to be given by law. If, as is claimed by many, all persons who are native-born, already are, by virtue of the Constitution, citizens of the United States, the passage of the pending bill cannot be necessary to make them such. If, on the other hand, such persons are not citizens, as may be assumed from the proposed legislation to make them such, the grave question presents itself, whether, when eleven of the thirty-six States are unrepresented in Congress, at this time it is sound policy to make our entire colored population and all other excepted classes citizens of the United States? Four millions of them have just emerged from slavery into freedom. Can it be reasonably supposed that they possess the requisite qualifications to entitle them to all the privileges and immunities of citizens of the United States? Have the people of the several States expressed such a conviction? It may also be asked whether it is necessary that they should be declared citizens in order that they may be secured in the enjoyment of civil rights? Those rights proposed to be conferred by the bill are by Federal as well as State laws secured to all domiciled aliens and foreigners even before the

completion of the process of naturalization, and it may safely be assumed that the same enactments are sufficient to give like protection and benefits to those for whom this bill provides special legislation. Besides, the policy of the Government, from its origin to the present time, seems to have been that persons who are strangers to and unfamiliar with our institutions and our laws should pass through a certain probation, at the end of which, before attaining the coveted prize, they must give evidence of their fitness to receive and to exercise the rights of citizens as contemplated by the Constitution of the United States.

The bill, in effect, proposes a discrimination against large numbers of intelligent, worthy, and patriotic foreigners, and in favor of the negro, to whom, after long years of bondage, the avenues to freedom and intelligence have now been suddenly opened. He must of necessity, from his previous unfortunate condition of servitude, be less informed as to the nature and character of our institutions than he who, coming from abroad, has, to some extent at least, familiarized himself with the principles of a Government to which he voluntarily intrusts "life, liberty, and the pursuit of happiness." Yet it is now proposed by a single legislative enactment to confer the rights of citizens upon all persons of African descent, born within the extended limits of the United States; while persons of foreign birth, who make our land their home, must undergo a probation of five years, and can only then become citizens upon proof that they are of "good moral character, attached to the principles of the Constitution of the United States, and well disposed to the good order and happiness of the same."

The first section of the bill also contains an enumeration of the rights to be enjoyed by these classes, so made citizens, "in every State and Territory in the United States." These rights are, "to make and enforce contracts, to sue, be parties, and give evidence, to inherit, purchase, lease, sell, hold, and convey real and personal property," and to have "full and equal benefit of all laws and proceedings for the security of person and property as is now enjoyed by white citizens." So, too, they are made subject to the same punishment, pains, and penalties in common with white citizens, and to none others. Thus a perfect equality of the white and black races is attempted to be fixed by Federal law, in every State of the Union, over the vast field of State jurisdiction covered by these enumerated rights. In no one of these can any State ever exercise any power of discrimination between the different races.

In the exercise of State policy over matters exclusively affecting the people of each State, it has frequently been thought expedient to discriminate between the two races. By the statutes of some of the States, Northern as well as Southern, it is enacted, for instance, that no white person shall intermarry with a negro or mulatto. Chancellor Kent says, speaking of the blacks, that "marriages between them and the whites are forbidden in some of the States where slavery does not exist, and they are prohibited in all the slaveholding States, and when not absolutely contrary to law, they are revolting, and regarded as an offence against public decorum."

I do not say this bill repeals State laws on the subject of marriage between the two races, for, as the whites are forbidden to intermarry with the blacks, the blacks can only make such contracts as the whites themselves are allowed to make, and therefore cannot, under this bill, enter into the marriage contract with the whites. I cite this discrimination, however, as an instance of the State policy as to discrimination, and to inquire whether, if Congress can abrogate all State laws of discrimination between the two races in the matter of real estate, of suits, and of contracts generally, Congress may not also repeal the State laws as to the contract of marriage



between the two races? Hitherto every subject embraced in the enumeration of rights contained in this bill has been considered as exclusively belonging to the States. They all relate to the internal policy and economy of the respective States. They are matters which in each State concern the domestic condition of its people, varying in each according to its own peculiar circumstances, and the safety and well-being of its own citizens. I do not mean to say that upon all these subjects there are not Federal restraints, as, for instance, in the State power of legislation over contracts, there is a Federal limitation that no State shall pass a law impairing the obligations of contracts; and as to crimes, that no State shall pass an *ex post facto* law; and as to money, that no State shall make any thing but gold and silver a legal tender. But where can we find a Federal prohibition against the power of any State to discriminate, as do most of them, between aliens and citizens, between artificial persons called corporations and natural persons, in the right to hold real estate?

If it be granted that Congress can repeal all State laws discriminating between whites and blacks in the subjects covered by this bill, why, it may be asked, may not Congress repeal in the same way all State laws discriminating between the two races on the subjects of suffrage and office? If Congress can declare by law who shall hold lands, who shall testify, who shall have capacity to make a contract in a State, then Congress can by law also declare who, without regard to color or race, shall have the right to sit as a juror or as a judge, to hold any office, and, finally, to vote "in every State and Territory of the United States." As respects the Territories, they come within the power of Congress, for, as to them, the law-making power is the Federal power; but as to the States no similar provisions exist, vesting in Congress the power "to make rules and regulations" for them.

The object of the second section of the bill is to afford discriminating protection to colored persons in the full enjoyment of all the rights secured to them by the preceding section. It declares "that any person who, under color of any law, statute, ordinance, regulation, or custom, shall subject, or cause to be subjected, any inhabitant of any State or Territory to the deprivation of any right secured or protected by this act, or to different punishment, pains, or penalties on account of such person having at one time been held in a condition of slavery or involuntary servitude, except as a punishment of crime whereof the party shall have been duly convicted, or by reason of his color or race, than is prescribed for the punishment of white persons, shall be deemed guilty of a misdemeanor, and, on conviction, shall be punished by fine not exceeding \$1,000, or imprisonment not exceeding one year, or both, in the discretion of the court." This section seems to be designed to apply to some existing or future law of a State or Territory which may conflict with the provisions of the bill now under consideration. It provides for counteracting such forbidden legislation by imposing fine and imprisonment upon the legislators who may pass such conflicting laws, or upon the officers or agents who shall put, or attempt to put, them into execution. It means an official offence, not a common crime committed against law upon the persons or property of the black race. Such an act may deprive the black man of his property, but not of the right to hold property. It means a deprivation of the right itself, either by the State judiciary or the State Legislature. It is therefore assumed that under this section members of State Legislatures who should vote for laws conflicting with the provisions of the bill; that judges of the State courts who should render judgments in antagonism with its terms; and that marshals and sheriffs who should, as ministerial officers, execute processes, sanctioned by State laws and issued by State judges, in execu-

tion of their judgments, could be brought before other tribunals and there subjected to fine and imprisonment for the performance of the duties which such State laws might impose.

The legislation thus proposed invades the judicial power of the State. It says to every State court or judge, if you decide that this act is unconstitutional, if you refuse, under the prohibition of a State law, to allow a negro to testify, if you hold that over such a subject-matter the State law is paramount, and "under color" of a State law refuse the exercise of the right to the negro, your error of judgment, however conscientious, shall subject you to fine and imprisonment. I do not apprehend that the conflicting legislation which the bill seems to contemplate is so likely to occur as to render it necessary at this time to adopt a measure of such doubtful constitutionality.

In the next place, this provision of the bill seems to be unnecessary, as adequate judicial remedies could be adopted to secure the desired end without invading the immunities of legislators, always important to be preserved in the interest of public liberty; without assailing the independence of the judiciary, always essential to the preservation of individual rights; and without impairing the efficiency of ministerial officers, always necessary for the maintenance of public peace and order. The remedy proposed by this section seems to be, in this respect, not only anomalous, but unconstitutional; for the Constitution guarantees nothing with certainty, if it does not insure to the several States the right of making and executing laws in regard to all matters arising within their jurisdiction, subject only to the restriction that in cases of conflict with the Constitution and constitutional laws of the United States the latter should be held to be the supreme law of the land.

The third section gives the district courts of the United States exclusive "cognizance of all crimes and offences committed against the provisions of this act," and concurrent jurisdiction with the circuit courts of the United States of all civil and criminal cases "affecting persons who are denied or cannot enforce in the courts or judicial tribunals of the State or locality where they may be, any of the rights secured to them by the first section." The construction which I have given to the second section is strengthened by this third section, for it makes clear what kind of denial or deprivation of the rights secured by the first section was in contemplation. It is a denial or deprivation of such rights "in the courts or judicial tribunals of the State." It stands, therefore, clear of doubt that the offence and the penalties provided in the second section are intended for the State judge, who, in the clear exercise of his functions as a judge, not acting ministerially, but judicially, shall decide contrary to this Federal law. In other words, when a State judge, acting upon a question involving a conflict between a State law and a Federal law, and bound, according to his own judgment and responsibility, to give an impartial decision between the two, comes to the conclusion that the State law is valid and the Federal law is invalid, he must not follow the dictates of his own judgment at the peril of fine and imprisonment. The legislative department of the Government of the United States thus takes from the judicial department of the States the sacred and exclusive duty of judicial decision, and converts the State judge into a mere ministerial officer, bound to decide according to the will of Congress.

It is clear that in States which deny to persons whose rights are secured by the first section of the bill any one of those rights, all criminal and civil cases affecting them will, by the provisions of the third section, come under the exclusive cognizance of the Federal tribunals. It follows that if, in any State which denies to a colored person any one of all those rights, that person should commit a crime



against the laws of the State, murder, arson, rape, or any other crime, all protection and punishment through the courts of the State are taken away, and he can only be tried and punished in the Federal courts. How is the criminal to be tried? If the offence is provided for and punished by Federal law, that law, and not the State law, is to govern.

It is only when the offence does not happen to be within the purview of the Federal law, that the Federal courts are to try and punish him under any other law. Then resort is to be had to "the common law, as modified and changed" by State legislation, "so far as the same is not inconsistent with the Constitution and laws of the United States." So that over this vast domain of criminal jurisprudence, provided by each State for the protection of its own citizens, and for the punishment of all persons who violate its criminal laws, Federal law, wherever it can be made to apply, displaces State law.

The question here naturally arises, from what source Congress derives the power to transfer to Federal tribunals certain classes of cases embraced in this section? The Constitution expressly declares that the judicial power of the United States "shall extend to all cases in law and equity arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime jurisdiction; to controversies to which the United States shall be a party; to controversies between two or more States, between a State and citizens of another State, between citizens of different States, between citizens of the same State claiming land under grants of different States, and between a State, or the citizens thereof, and foreign States, citizens, or subjects."

Here the judicial power of the United States is expressly set forth and defined; and the act of September 24, 1789, establishing the judicial courts of the United States, in conferring upon the Federal courts jurisdiction over cases originating in State tribunals, is careful to confine them to the classes enumerated in the above-recited clause of the Constitution. This section of the bill undoubtedly comprehends cases and authorizes the exercise of powers that are not, by the Constitution, within the jurisdiction of the courts of the United States. To transfer them to those courts would be an exercise of authority well calculated to excite distrust and alarm on the part of all the States; for the bill applies alike to all of them—as well to those that have as to those that have not been engaged in rebellion.

It may be assumed that this authority is incident to the power granted to Congress by the Constitution, as recently amended, to enforce, by appropriate legislation, the article declaring that "neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction." It cannot, however, be justly claimed that, with a view to the enforcement of this article of the Constitution, there is at present any necessity for the exercise of all the powers which this bill confers.

Slavery has been abolished, and at present nowhere exists within the jurisdiction of the United States; nor has there been, nor is it likely there will be any attempt to revive it, by the people of the States. If, however, any such attempt shall be made, it will then become the duty of the General Government to exercise any and all incidental powers necessary and proper to maintain inviolate this great constitutional law of freedom.

The fourth section of the bill provides that officers and agents of the Freedmen's Bureau shall be empowered to make arrests, and also that other officers may be specially commissioned for that purpose by the President of the United States. It also authorizes circuit courts of the United States and the su-

perior courts of the Territories to appoint, without limitation, commissioners, who are to be charged with the performance of *quasi* judicial duties. The fifth section empowers the commissioners so to be selected by the courts to appoint in writing, under their hands, one or more suitable persons, from time to time, to execute warrants and other processes described by the bill. These numerous official agents are made to constitute a sort of police, in addition to the military, and are authorized to summon a *posse comitatus*, and even to call to their aid such portion of the land and naval forces of the United States, or of the militia, "as may be necessary to the performance of the duty with which they are charged."

This extraordinary power is to be conferred upon agents irresponsible to the Government and to the people, to whose number the discretion of the commissioners is the only limit, and in whose hands such authority might be made a terrible engine of wrong, oppression, and fraud. The general statutes regulating the land and naval forces of the United States, the militia, and the execution of the laws, are believed to be adequate for every emergency which can occur in time of peace. If it should prove otherwise, Congress can at any time amend those laws in such manner as, while subserving the public welfare, not to jeopard the rights, interests, and liberties of the people.

The seventh section provides that a fee of ten dollars shall be paid to each commissioner in every case brought before him, and a fee of five dollars to his deputy, or deputies, "for each person he or they may arrest and take before any such commissioner," "with such other fees as may be deemed reasonable by such commissioner," "in general for performing such other duties as may be required in the premises." All these fees are to be "paid out of the Treasury of the United States," whether there is a conviction or not; but in case of conviction they are to be recoverable from the defendant. It seems to me that under the influence of such temptations bad men might convert any law, however beneficent, into an instrument of persecution and fraud.

By the eighth section of the bill, the United States courts, which sit only in one place for white citizens, must migrate, with the marshal and district attorney (and necessarily with the clerk, although he is not mentioned), to any part of the district, upon the order of the President, and there hold a court "for the purpose of the more speedy arrest and trial of persons charged with a violation of this act;" and there the judge and the officers of the court must remain, upon the order of the President, "for the time therein designated."

The ninth section authorizes the President, or such person as he may empower for that purpose, "to employ such part of the land and naval forces of the United States, or of the militia, as shall be necessary to prevent the violation and enforce the due execution of this act." This language seems to imply a permanent military force, that is to be always at hand, and whose only business is to be the enforcement of this measure over the vast region where it is intended to operate.

I do not propose to consider the policy of this bill. To me the details of the bill seem fraught with evil. The white race and the black race of the South have hitherto lived together under the relation of master and slave—capital owning labor. Now, suddenly, that relation is changed, and as to the ownership, capital and labor are divorced. They stand now each master of itself. In this new relation, one being necessary to the other, there will be a new adjustment, which both are deeply interested in making harmonious. Each has equal power in settling the terms, and if left to the laws that regulate capital and labor, it is confidently believed that they will satisfactorily work out the problem. Capital, it is true, has more intelligence; but labor is never so ignorant as not to understand its own interests, not



to know its own value, and not to see that capital must pay that value. This bill frustrates this adjustment; it intervenes between capital and labor, and attempts to settle questions of political economy through the agency of numerous officials, whose interest it will be to foment discord between the two races; for as the breach widens their employment will continue, and when it is closed their occupation will terminate.

In all our history, in all our experience as a people living under Federal and State law, no such system as that contemplated by the details of this bill has ever before been proposed or adopted. They establish, for the security of the colored race, safeguards which go infinitely beyond any that the General Government has ever provided for the white race. In fact, the distinction of race and color is, by the bill, made to operate in favor of the colored and against the white race. They interfere with the municipal legislation of the States, with the relations existing exclusively between a State and its citizens, or between inhabitants of the same State—an absorption and assumption of power by the General Government which, if acquiesced in, must sap and destroy our federative system of limited powers, and break down the barriers which preserve the rights of the States. It is another step, or rather stride, toward centralization and the concentration of all legislative power in the national Government. The tendency of the bill must be to resuscitate the spirit of rebellion, and to arrest the progress of those influences which are more closely drawing around the States the bonds of union and peace.

My lamented predecessor, in his proclamation of the 1st of January, 1863, ordered and declared that all persons held as slaves within certain States and parts of States therein designated, were and thenceforward should be free, and, further, that the Executive Government of the United States, including the military and naval authorities thereof, would recognize and maintain the freedom of such persons. This guaranty has been rendered especially obligatory and sacred by the amendment of the Constitution abolishing slavery throughout the United States. I therefore fully recognize the obligation to protect and defend that class of our people whenever and wherever it shall become necessary, and to the full extent compatible with the Constitution of the United States.

Entertaining these sentiments, it only remains for me to say, that I will cheerfully coöperate with Congress in any measure that may be necessary for the protection of the civil rights of the freedmen, as well as those of all other classes of persons throughout the United States, by judicial process under equal and impartial laws, in conformity with the provisions of the Federal Constitution.

I now return the bill to the Senate, and regret that in considering the bills and joint resolutions—forty-two in number—which have been thus far submitted for my approval, I am compelled to withhold my assent from a second measure that has received the sanction of both Houses of Congress.

ANDREW JOHNSON.

WASHINGTON, D. C., March 27, 1866.

*Majority Report of the Joint Committee on Reconstruction to the two Houses of Congress, made June 8, 1866.*

The joint committee of the two Houses of Congress, appointed under the concurrent resolution of December 13, 1865, with directions to inquire into the condition of the States which formed the so-called Confederate States of America, and report whether they or any of them are entitled to be represented in either house of Congress, with leave to report by bill or otherwise, ask leave to report:

That they have attended to the duties assigned

them as assiduously as other duties would permit, and now submit to Congress as the result of their deliberations a resolution proposing amendments to the Constitution, and two bills, of which they recommend the adoption.

Before proceeding to set forth in detail the reasons to which, after great deliberation, your committee have arrived, they beg leave to advert briefly to the course of proceedings they found it necessary to adopt, and to explain the reasons therefor.

The resolution under which your committee was appointed directed them to inquire into the condition of the Confederate States, and report whether they were entitled to representation in Congress. It is obvious that such an investigation, covering so large an extent of territory and involving so many important considerations, must necessarily require no trifling labor and consume a very considerable amount of time. It must embrace the condition in which those States were left at the close of the war, the measures which had been taken toward the reorganization of civil government, and the disposition of the people toward the United States; in a word, their fitness to take an active part in the administration of national affairs.

As to their condition at the close of the rebellion, the evidence is open to all, and admits of no dispute. They were in a state of utter exhaustion. Having protracted their struggle against Federal authority until all hopes of successful resistance had ceased, and laid down their arms only because there was no longer any power to use them, the people of those States were, when the rebellion was crushed, "deprived of all civil government and must proceed to organize anew." In his conversation with Mr. Stearns, of Massachusetts, certified by himself, President Johnson said, "The State institutions are prostrated, laid out on the ground, and they must be taken up and adapted to the progress of events." Finding the Southern States in this condition, and Congress having failed to provide for the contingency, his duty was obvious. As President of the United States he had no power except to execute the laws of the land as chief magistrate. Those laws gave him no authority over the subject of reorganization, but, by the Constitution, he was commander-in-chief of the army and navy of the United States. Those Confederate States embraced a portion of the people of the Union who had been in a state of revolt, but had been reduced to obedience by force of arms. They were in an abnormal condition, without civil government, without commercial connections, without national or international relations, and subject only to martial law. By withdrawing their representatives in Congress, by renouncing the privilege of representation, by organizing a separate government, and by levying war against the United States, they destroyed their State constitutions in respect to the vital principle which connected the respective States with the Union, and secured their Federal relations; and nothing of those constitutions was left of which the United States were bound to take notice. For four years they had a *de facto* government, but it was usurped and illegal. They chose the tribunal of arms wherein to decide whether or not it should be legalized, and they were defeated. At the close of the rebellion, therefore, the people of the rebellious States were found, as the President expresses it, "deprived of all civil government."

Under this state of affairs it was plainly the duty of the President to enforce existing national laws, and to establish as far as he could such a system of government as might be provided for by existing national statutes. As commander-in-chief of a victorious army, it was his duty under the law of nations and the army regulations, to restore order, to preserve property, and to protect the people against violence from any quarter, until provision shall be made by law for their government. He might, as President, assemble Congress and submit the whole



matter to the law-making power, or he might continue military supervision and control until Congress should assemble on its regular appointed day. Selecting the latter alternative, he proceeded, by virtue of his power as commander-in-chief, to appoint provisional governors over the revolted States. These were regularly commissioned and their compensation was paid, as the Secretary of War stated, "from the appropriation for army contingencies, because the duties performed by the parties were regarded as of a temporary character, auxiliary to the withdrawal of the military force, the disbandment of armies, and the reduction of military expenditure by provisional organizations for the protection of civil rights, the preservation of peace, and to take the place of armed force in the respective States." It cannot, we think, be contended that those governors possessed, or would exercise, any but military authority. They had no power to organize civil governments nor to exercise any authority except that which inhered in their own persons under their commissions. Neither had the President, as commander-in-chief, any other than military authority. It was for him to decide how far he would exercise it, how far he would relax it, when and on what terms he would withdraw it. He might properly permit the people to assemble and to initiate local governments and to execute such laws as they might choose to frame, not inconsistent with nor in opposition to the laws of the United States. And, if satisfied that they might safely be left to themselves, he might withdraw the military forces altogether and leave the people of any or all of these States to govern themselves without his interference. In the language of the Secretary of State, in his dispatch to the Provisional Governor of Georgia, dated October 28, 1865, he might "recognize the people of any State as having resumed the relations of loyalty to the Union," and act in his military capacity on this hypothesis. All this was within his own discretion as military commander. But it was not for him to decide upon the nature or effect of any system of government the people of those States might choose to adopt. This power is lodged by the Constitution in the Congress of the United States—that branch of the Government in which is vested the authority to fix the political relations of the States to the Union—whose duty it is to guarantee to each State a republican form of government, and to protect each and all of them against foreign or domestic violence, or against each other. We must, therefore, regard the various acts of the President in relation to the formation of local governments in the insurrectionary States, and the conditions imposed by him upon their action, in no other light than as intimations to the people that, as commander-in-chief of the army, he would consent to withdraw military rule just in proportion as they should, by their acts, manifest a disposition to preserve order among themselves, establish government, denoting loyalty to the Union, and exhibit a settled determination to return to their allegiance, leaving with the law-making power to fix the terms of their final restoration to all their rights and privileges as States of the Union. That this is the view of his power taken by the President is evident from expressions to that effect in the communications of the Secretary of State to the various provisional governors and the repeated declarations of the President himself. Any other supposition, inconsistent with this, would impute to the President designs of encroachment upon a coördinate branch of the Government which should not be lightly attributed to the Chief Magistrate of the nation.

When Congress assembled, in December last, the people of most of the States lately in rebellion had, under the advice of the President, organized local governments, and some of them had acceded to the terms proposed by him. In his annual message he stated, in general terms, what had been done, but he did not see fit to communicate the details for the information of Congress. While in this and in a sub-

sequent message the President urged the speedy restoration of these States, and expressed the opinion that their condition was such as to justify their restoration, yet it is quite obvious that Congress must either have acted blindly on that opinion of the President, or proceeded to obtain the information requisite for intelligent action on the subject. The impropriety of proceeding wholly on the judgment of any one man, however exalted his station, in a matter involving the welfare of the Republic in all future time, or of adopting any plan, coming from any source, without fully understanding all its bearings and comprehending its full effect, was apparent. The first step, therefore, was to obtain the required information. A call was accordingly made on the President for the information in his possession as to what had been done, in order that Congress might judge for itself as to the grounds of the belief expressed by him in the fitness of the States recently in rebellion to participate fully in the conduct of national affairs. This information was not immediately communicated. When the response was finally made, some six weeks after your committee had been in actual session, it was found that the evidence upon which the President had based his suggestions was incomplete and unsatisfactory. Authenticated copies of the new constitutions and ordinances adopted by the conventions of three of the States had been submitted, extracts from newspapers furnished scanty information as to the action of one other State, and nothing appears to have been communicated as to the remainder. There was no evidence of the loyalty of those who had participated in those conventions, and in one State alone was any proposition made to submit the action of the convention to the final judgment of the people.

Failing to obtain the desired information, and left to grope for light wherever it might be found, your committee did not deem it advisable or safe to adopt, without further examination, the suggestions, more especially as he had not deemed it expedient to remove the military force, to suspend martial law, or to restore the writ of *habeas corpus*, but still thought it necessary to exercise over the people of the rebellious States his military power and jurisdiction. This conclusion derived still greater force from the fact, undisputed, that in all these States, except Tennessee, and perhaps Arkansas, the elections which were held for State officers and members of Congress had resulted, almost unanimously, in the defeat of candidates who had been true to the Union, and in the election of notorious and unpardoned rebels—men who could not take the prescribed oath of office, and who made no secret of their hostility to the Government and people of the United States. Under these circumstances, any thing like hasty action would have been as dangerous as it was obviously unwise. It appeared to your committee that but one course remained, viz., to investigate thoroughly and carefully the state of feeling existing among the people of these States; to ascertain how far their pretended loyalty could be relied upon, and thence to infer whether it would be safe to admit them at once to a full participation in the government they had fought for four years to destroy. It was an equally important inquiry whether their restoration to their former relations with the United States should only be granted upon certain conditions and guaranties which would effectually secure the nation against a recurrence of evils so disastrous as those from which it had escaped at so enormous a sacrifice.

To obtain the necessary information recourse could only be had to the examination of witnesses whose position had given them the best means of forming an accurate judgment, who could state facts from their own observation, and whose character and standing afforded the best evidence of their truthfulness and impartiality. A work like this, covering so large an extent of territory, and embracing such com-



licated and extensive inquiries, necessarily required much time and labor. To shorten the time as much as possible the work was divided and placed in the hands of four sub-committees who have been diligently employed in its accomplishment. The results of their labors have been heretofore submitted, and the country will judge how far they sustain the President's views, and how far they justify the conclusions to which your committee have finally arrived.

A claim for the immediate admission of Senators and Representatives from the so-called Confederate States has been urged, which seems to your committee not to be founded either in reason or in law, and which cannot be passed without comment. Stated in a few words, it amounts to this—that, inasmuch as the lately insurgent States had no legal right to separate themselves from the Union, they still retain their position as States, and, consequently, the people thereof have a right to immediate representation in Congress, without the imposition of any conditions whatever; and further, that, until such admission, Congress has no right to tax them for the support of the Government. It has even been contended that, until such admission, all legislation affecting their interests is, if not unconstitutional, at least unjustifiable and oppressive.

It is believed by your committee that all these propositions are not only wholly untenable, but if admitted, would tend to the destruction of the Government.

It must not be forgotten that the people of those States, without justification or excuse, rose in insurrection against the United States. They deliberately abolished their State governments, so far as the same connected them politically with the Union, as members thereof under the Constitution. They deliberately renounced their allegiance to the Federal Government, and proceeded to establish an independent government for themselves. In the prosecution of this enterprise, they seized the national forts, arsenals, dockyards, and other public property within their borders, drove out from among them those who remained true to the Union, and heaped every imaginable insult and injury upon the United States and its citizens. Finally they opened hostilities, and levied war against the Government. They continued this war for four years with the most determined and malignant spirit, killing in battle and otherwise large numbers of loyal people, destroying the property of loyal citizens on the sea and on the land, and entailing on the Government an enormous debt, incurred to sustain its rightful authority. Whether legally and constitutionally or not, they did, in fact, withdraw from the Union, and made themselves subjects of another government of their own creation, and they only yielded when, after a long and bloody and wasting war, they were compelled by utter exhaustion to lay down their arms; and this they did, not willingly, but declaring that they yielded because they could no longer resist, affording no evidence whatever of repentance for their crime, and expressing no regret except that they had no longer the power to continue the desperate struggle. It cannot, we think, be denied, by any one having a tolerable acquaintance with public law, that the war thus waged was a civil war of the greatest magnitude. The people waging it were necessarily subject to all the rules which, by the law of nations, control a contest of that character, and to all the legitimate consequences following it. One of those consequences was that, within the limits prescribed by humanity, the conquered rebels were at the mercy of the conquerors; that a Government thus outraged had a most perfect right to exact indemnity for the injuries done and security against the recurrence of such outrages in the future, would seem too clear for dispute. What proof should be required of a return to allegiance, what time should elapse before a people thus demoralized should be restored in full to the enjoyment of political rights and privi-

leges, are questions for the law-making power to decide, and that decision involves grave considerations of the public safety and the general welfare. It is moreover contended, and with apparent gravity, that from the peculiar nature and character of our Government no such right on the part of the conqueror can exist; that from the moment when rebellion lays down its arms and actual hostilities cease, all political rights of rebellious communities are at once restored; that because the people of a State of the Union were once an organized community within the Union they necessarily so remain, and their rights to be represented in Congress at any and all times, and to participate in the government of the country under all circumstances, admit of neither question nor dispute. If this is indeed true, then is the Government of the United States powerless for its own protection, and flagrant rebellion, carried to the extreme of civil war, is a pastime which any State may play at, not only certain that it can lose nothing in any event, but may even be the gainer by defeat. If it fails, the war has been barren of results, and the battle may be still fought out in the legislative halls of the country. Treason, defeated in the field, has only to take possession of Congress and the Cabinet. Your committee does not deem it either necessary or proper to discuss the question whether the late Confederate States are still States of this Union, or can ever be otherwise. Granting this profitless abstraction, about which so many words have been wasted, it by no means follows that the people of those States may not place themselves in a condition to abrogate the powers and privileges incident to a State of the Union, and deprive themselves of all pretence of right to exercise those powers and enjoy those privileges. A State within the Union has obligations to discharge as a member of the Union. It must submit to Federal laws and uphold Federal authority. It must have a government republican in form, under and by which it is connected with the General Government, and through which it can discharge its obligations. It is more than idle, it is a mockery, to contend that a people who have thrown off their allegiance, destroyed the local government which bound their States to the Union as members thereof, defied its authority, refused to execute its laws, and abrogated laws that gave them political rights within the Union, still retain, through all, the perfect and entire right to resume, at their own will and pleasure, all their privileges in the Union, and especially to participate in its government and to control the conduct of its affairs; to admit such a principle for one moment would be to declare that treason is always master, and loyalty a blunder. Such a principle is void by its very nature and essence, because inconsistent with the theory of government, and fatal to its very existence. On the contrary, we assert that no portion of the people of this country, either in State or Territory, have the right, while remaining on its soil, to withdraw from or reject the authority of the United States. They must acknowledge its jurisdiction; they have no right to secede; and while they can destroy their State governments and place themselves beyond the pale of the Union, so far as the exercise of State privileges is concerned, they cannot escape the obligations imposed upon them by the Constitution and the laws, nor impair the exercise of national authority. The Constitution, it will be observed, does not act upon States, as such, but upon the people. While, therefore, the people cease to exist in an organized form, they thus dissolve their political relations with the United States. That taxation should be only with the consent of the taxed, through their own representatives, is a cardinal principle of all free governments; but it is not true that taxation and representation must go together under all circumstances and at every moment of time. The people of the District of Columbia and all of the Territories are taxed, although not represented in Congress. If it is true of the people of the



States, it is equally true that the people of the so-called Confederate States had no right to throw off the authority of the United States; it is equally true that they are bound at all times to share the burdens of government. They cannot, either legally or equitably, refuse to bear their just proportion of these burdens by voluntarily abdicating their rights and privileges as States of the Union, and refusing to be represented in the councils of the nation, much less by rebellion against national authority, and levying war. To hold that by so doing they could escape taxation would be to offer a premium for insurrection, to reward instead of punishing treason. To hold that as soon as Government is restored to its full authority it can be allowed no time to secure itself against similar wrongs in the future, or else omit the ordinary exercise of its constitutional power to compel equal contribution from all toward the expenses of government, would be unreasonable in itself and unjust to the nation. It is sufficient to reply that the loss of representation by the people of the insurrectionary States was their own voluntary choice. They might abandon their privileges, but they could not escape their obligations. And surely they have no right to complain if, before resuming those privileges, and while the people of the United States are devising measures for the public safety, rendered necessary by the act of those who thus disfranchised themselves, they are compelled to contribute their just proportion of the general burden of taxation incurred by their wickedness and folly. Equally absurd is the pretence that the legislative authority of the nation must be inoperative so far as they are concerned, while they, by their own act, have lost the right to take part in it. Such a proposition carries its own refutation on its face. While thus exposing fallacies which, as your committee believe, are resorted to for the purpose of misleading the people and distracting their attention from the questions at issue, we freely admit that such a condition of things should be brought, if possible, to a speedy termination. It is most desirable that the union of all the States should become perfect at the earliest possible moment consistent with the peace and welfare of the nation; that all these States should become fully represented in the national councils, and take their share of the legislation of the country. The possession and exercise of more than its just share of power by any section over all others, in its tendency is distracting and demoralizing, and such a state of affairs is only to be tolerated on the ground of a necessary regard to the public safety. As soon as the safety is secured it should terminate.

Your committee came to the consideration of the subject referred to them with the most anxious desire to ascertain what was the condition of the people of the States recently in insurrection, and what, if any thing, was necessary to be done before restoring them to the free enjoyment of all their original privileges. It was undeniable that the war into which they had plunged the country had naturally changed their relations to the loyal people of the loyal States. Slavery has been abolished by constitutional amendment. A large portion of the population had become, instead of mere chattels, free men and citizens. Through all the struggle these had remained true and loyal, and had in large numbers fought on the side of the Union. It was impossible to abandon them without securing them their rights as men and citizens. The whole civilized world would have cried out against such base ingratitude, and the bare idea is offensive to all right-thinking men. Hence it became important to inquire what could be done to secure their rights, civil and political. It was evident to your committee that adequate security could only be found in appropriate constitutional provisions of the Constitution. Representation is based on the whole number of free persons in each State and three-fifths of all other persons. When all become free, representation for all necessarily follows. As a con-

sequence the inevitable effect of the rebellion would be to increase the political power of the insurrectionary States, whenever they should be allowed to resume their positions as States of the Union. As representation is by the Constitution based upon population, your committee did not think it advisable to recommend a change of that basis. The increase of representation necessarily resulting from the abolition of slavery was considered the most important element in the questions arising out of the necessity for some fundamental action in this regard. It appears to your committee that the right of representation to be thus increased should not be recognized by the General Government. While slaves they were not considered as having any rights, civil or political. It did not seem just or proper that all the political advantages derived from their becoming free should be confined to their former masters, who had fought against the Union, and withheld from themselves who had always been loyal. Slavery, by building up a ruling and dominant class, had produced a spirit of oligarchy adverse to republican institutions, which finally inaugurated civil war, the tendency of continuing the domination of such a class by leaving it in the exclusive possession of political power, would be to encourage the same spirit and lead to a similar result. Doubt was entertained whether Congress had power, even under the amended Constitution, to prescribe the qualifications of voters in a State, or could act directly on the subject. It was doubtful, in the opinion of your committee, whether the States would consent to surrender a power they had always exercised, and to which they were attached. As the best, if not the only method of surmounting the difficulty, and as eminently just and proper in itself, your committee came to the conclusion that political power should be possessed in all the States exactly in proportion as the right of suffrage should be granted, without distinction of color or race. This, it was thought, would leave the whole question with the people of each State, holding out to all the advantage of increased political power as an inducement to allow all to participate in its exercise. Such a provision would be in its nature gentle and persuasive, and would lead, it was hoped, at no distant day, to an equal participation of all, without distinction, in all the rights and privileges of citizenship, thus affording a full and adequate protection to all classes of citizens, since all would have, through the ballot-box, the power of self-protection. Holding these views, your committee prepared an amendment to the Constitution to carry out this idea, and submitted the same to Congress. Unfortunately, as we think, it did not receive the necessary constitutional support in the Senate, and therefore could not be proposed for adoption by the States. The principle involved by that amendment is known and believed to be sound, and your committee have again proposed it in another form, hoping that it may receive the approbation of Congress. Your committee have been unable to find in the evidence submitted to Congress by the President, under date of March 6, 1866, in compliance with the resolutions of January 5 and February 27, 1866, any satisfactory proof that either of the insurrectionary States, except, perhaps, the State of Tennessee, has placed itself in a condition to resume its political relations to the Union. The first step toward that end would necessarily be the establishment of a republican form of government by the people. It has been heretofore said that the provisional governors appointed by the President, in the exercise of his military authority, could do nothing, by virtue of the power thus conferred, toward the establishment of a State government. They were acting under the War Department, and paid out of its funds. They were simply bridging over the chasm between the rebellion and restoration, and yet we find them calling conventions and convening legislatures. Not only that, but we find the conventions and legislatures thus convened acting under explicit



direction as to the propositions required to be adopted in their constitutions and ordinances, as conditions precedent to their recognition by the President. The inducements held out by the President for compliance with the conditions imposed were directed in one instance, and presumably, therefore, in others, for the immediate admission of Senators and Representatives to Congress. The character of the conventions and legislatures thus assembled was not such as to inspire confidence in the good faith of their members. Governor Perry of South Carolina dissolved the convention assembled in that State before the suggestion had reached Columbia from Washington that the rebel war debt should be repudiated, and gave as his reason that it was a "revolutionary body." There is no evidence of the loyalty or disloyalty of the members of those conventions and legislatures except the fact of pardons being asked for on their account. Some of these States now claiming representation refused to adopt the conditions imposed. No reliable information is found in these papers as to the constitutional provisions of several of these States, while in not one of them is there the slightest evidence to show that those "amended constitutions," as they are called, have even been submitted to the people for their adoption. In North Carolina alone an ordinance was passed to that effect, but it does not appear to have been acted on. Not one of them, therefore, has been notified. Whether with President Johnson we adopt the theory that the old constitutions were abrogated and destroyed, and the people "deprived of civil government," or whether we adopt the alternative doctrine that they were only suspended and were revived by the suppression of the rebellion, the new provision must be considered as equally destitute of validity before adoption by the people. If the conventions were called for the sole purpose of putting the State governments into operation, they had no power either to adopt a new constitution or to amend an old one without the consent of the people. Nor could either a convention or a legislature change the fundamental law without power previously conferred. In the view of your committee, it follows, therefore, that the people of a State where the constitution has been thus amended might feel themselves justified in repudiating altogether such unauthorized assumption of power, and might be expected to do so at pleasure.

So far as the disposition of the people of the insurrectionary States, and the probability of adopting measures conforming to the changed conditions of affairs, can be inferred from the papers submitted by the President as the basis of his action, the prospects are far from encouraging. It appears quite clear that the antislavery amendments both to the State and Federal constitutions were adopted with reluctance by the bodies which did adopt them, while in some States they have either been passed by in silence or rejected. The language of all the provisions and ordinances of those States amount to nothing more than an unwilling admission of an unwelcome truth. As to the ordinance of secession, it is in some cases declared "null and void," and in others simply "repealed," and in no instance is a refutation of this deadly heresy considered worthy a place in the new Constitution.

If, as the President assumes, these insurrectionary States were at the close of the war wholly without State governments, it would seem that before being admitted in the direction of public affairs such governments should be regularly organized. Long usage has established and numerous statutes have pointed out the mode in which this should be done. A convention to frame a form of government should be assembled under competent authority. Ordinarily, this authority emanates from Congress, but under the peculiar circumstances, your committee is not disposed to criticise the President's action in assuming the power exercised by him in this regard. The convention when assembled should frame a constitu-

tion of government, which should be submitted to the people for adoption. If adopted, a legislature should be convened to pass the laws necessary to carry it into effect. When a State thus organized claims representation in Congress, the election of representatives should be provided for by law in accordance with the laws of Congress regulating representation, and the proof that the action taken has been in conformity to law should be submitted to Congress.

In no case have these essential preliminaries been taken. The conventions assembled seem to have assumed that the Constitution which had been repudiated and overthrown was still in existence and operative to constitute the States members of the Union, and to have contented themselves with such amendments as they were informed were requisite in order to insure them an immediate return to a participation in the Government of the United States. Not waiting to ascertain whether the people thus represented would adopt even the proposed amendments, they at once ordered elections of representatives to Congress; in nearly all instances no executive had been chosen to issue writs of election under the State laws, and such elections as were held were ordered by the conventions; in one instance, at least, the writs of election were signed by the provisional governor. Glaring irregularities and unwarrantable assumption of power are manifest in several cases, particularly in South Carolina, where the convention, although disbanded by the provisional governor on the ground that it was a revolutionary body, assumed to redistrict the State.

It is quite evident from all these facts, and, indeed, from the whole mass of testimony submitted by the President to the Senate, that in no instance was regard paid to any other consideration than obtaining immediate admission to Congress under the barren form of an election in which no precautions were taken to secure regularity of proceedings, or the assent of the people.

No constitution has been legally adopted, except perhaps in the State of Tennessee, and such elections as have been held were without authority of law. Your committee are accordingly forced to the conclusion that the States referred to have not placed themselves in a condition to claim representation in Congress, unless all the rules which have, since the foundation of the Government, been deemed essential in such cases, should be disregarded.

It would undoubtedly be competent for Congress to waive all formalities and to admit the Confederate States to representation at once, trusting that time and experience would set all things right. Whether it would be advisable to do so, however, must depend on other considerations, of which it remains to treat. But it may well be observed that the inducements to such a step should be of the very highest character. It seems not unreasonable to your committee to require satisfactory evidence that the ordinances and constitutional provisions which the President deemed essential in the first instance will be permanently adhered to by the people of the States seeking restoration, after being admitted to full participation of the government, and will not be repudiated when that object shall have been accomplished. And here the burden of proof rests upon the late insurgents who are seeking restoration to the rights and privileges which they willingly abandoned, and not upon the people of the United States, who have never undertaken directly or indirectly to deprive them thereof. It should appear affirmatively that they are prepared and disposed in good faith to accept the results of the war, to abandon their hostility to the Government, and to live in peace and unity with the people of the loyal States, extending to all classes equal rights and privileges, and conforming to the republican idea of liberty and equality. They should exhibit in their acts something more than an unwilling submission; a feeling, if not cheerful, cer-



tainly not offensive and defiant, and they should evince an utter repudiation of all hostility to the General Government, by an acceptance of such just and reasonable conditions as that Government should think the public safety demands. Has this been done? Let us look at the facts shown by the evidence taken by the committee.

Hardly has the war closed before the people of these insurrectionary States come forward and haughtily claim, as a right, the privilege of participating at once in that Government which they had for four years been fighting to destroy. Allowed and encouraged by the Executive to organize State governments, they at once place in power leading rebels, unrepentant and unpardoned, excluding with contempt those who had manifested an attachment to the Union, and preferring in many instances those who had rendered themselves most obnoxious. In the face of the law requiring an oath of office which would necessarily exclude all such from Federal offices, they elect, with very few exceptions, as Senators and Representatives to Congress, men who had actively participated in the rebellion, insultingly denouncing the laws as unconstitutional. It is only necessary to instance the election to the Senate of the late Vice-President of the Confederacy, a man who, against his own acknowledged ability and of his influence as a most prominent public man to the cause of the rebellion, and who, unpardoned rebel that he is, with that oath staring him in the face, had the assurance to lay his credentials on the table of the Senate. Other rebels, of scarcely less note or notoriety, were selected from other quarters, professing no repentance, glorying apparently in the crime they had committed, avowing still, as the uncontradicted testimony of Mr. Stephens and others proves, an adherence to the pernicious doctrine of secession, and declaring that they only yielded to necessity, they insist, with unanimous voice, upon their rights as States, and proclaim that they will submit to no conditions whatever as preliminary to their resumption of powers under that Constitution which they still claim the right to repudiate.

Examining the evidence taken by your committee still further in connection with facts too notorious to be disputed, it appears that the Southern press, with few exceptions, and those mostly newspapers recently established by Northern men, abounds with weekly and daily abuses of the institutions of the people of the loyal States, defends the men who led and the principles which incited the rebellion, denounces and reviles Southern men who adhered to the Union, and strives constantly and unscrupulously, by any means in its power, to keep alive the fire of hate and discord between the two sections; calling upon the President to violate his oath of office and overturn the Government by force of arms and drive the representatives of the people from their seats in Congress. The national banner is openly insulted, not only by an ignorant population, but at public meetings, and once, among other notable instances, at a dinner given in honor of a notorious rebel who had violated his oath and abandoned his flag. The same individual is elected to an important office in the leading city of his State, although an unpardoned rebel, and so offensive that the press silently allows him to enter upon his official duties. In another State the leading general of the rebel armies is openly nominated for Governor by the Speaker of the House of Delegates, and the nomination is hailed by the people with shouts of satisfaction and openly indorsed by the press.

Looking still further at the evidence taken by your committee, it is found to be clearly shown by witnesses of the highest character, and having the best means of information, that the Freedmen's Bureau, instituted for the relief and protection of the freedmen and refugees, is almost universally opposed by the mass of the population, and is in an efficient condition only under military protection; while the

Union men of the South are earnest in its defence, declaring in one voice that without its protection the colored man could not labor at fair prices, and hardly live in safety. They also testify that without the protection of the United States troops, Union men, whether of Northern or Southern birth, would be obliged to abandon their homes. The feeling in many portions of the country toward emancipated slaves, especially among the uneducated and ignorant, is one of vindictive and malicious hatred. This deep seated prejudice against color is assiduously cultivated by the public journals, and leads to acts of cruelty, oppression, and murder, which the local authorities are at no pains to prevent or punish. There is no disposition to place the colored man, constituting at least two-fifths of the population, upon terms of even civil equality. While many instances may be found where large planters and men of the better class accept the situation, and honorably strive to bring about a better order of things, by employing the freedmen at fair wages, and treating them kindly, the general feeling and disposition among all classes are yet totally averse to the toleration of any class of people friendly to the Union, be they white or black, and this aversion is not unfrequently manifested in an insulting and offensive manner.

The witnesses examined as to the willingness of the people of the South to contribute, under existing laws, to the payment of the national debt, prove that the taxes levied by the United States will be paid only by compulsion, and with great reluctance, while there prevails to a considerable extent a belief that compensation will be made for slaves emancipated, and property destroyed during the war. The testimony on this point comes from officers of the Union army, officers of the late rebel army, Union men of the Southern States, and avowed secessionists, almost all of whom state that, in their opinion, the people of the rebellious States would, if they should see a prospect of success, repudiate the national debt.

While there is scarcely any hope or desire among leading men to renew the attempt at secession at any future time, there is still, according to a large number of witnesses, including A. H. Stephens, who may be regarded as good authority on that point, a generally prevailing opinion which defends the legal right of secession, and upholds the doctrine that the first allegiance of the people is due to the States, and not to the United States. This belief evidently prevails among leading and prominent men, as well as among the masses, everywhere except in some of the northern counties of Alabama and the eastern counties of Tennessee.

The evidence of an intense hostility to the Federal Union, and an equally intense love of the late Confederacy, nurtured by the war, is decisive. While it appears that nearly all are willing to submit, at least for the time being, to Federal authority, it is equally clear that the ruling motive is a desire to obtain the advantages which will be derived from a representation in Congress. Officers of the Union army on duty, and Northern men who go even to engage in business, are generally detested and persecuted. Men who adhered to the Union are bitterly hated and relentlessly persecuted. In some localities prosecutions have been instituted in State courts against Union officers for acts done in the line of official duty, and similar prosecutions are threatened elsewhere as soon as the United States troops are removed. All such demonstrations show a state of feeling against which it is unmistakably necessary to guard.

The testimony is conclusive that after the collapse of the Confederacy, the feeling of the people in the rebellious States was that of abject submission. Having appealed to the tribunal of arms, they had no hope except that, by the magnanimity of their conquerors, their lives, and possibly their property, might be preserved. Unfortunately, the general



issue of pardons to persons who had been prominent in the rebellion, and the feeling of kindness and conciliation manifested by the Executive, and very generally indicated through the Northern press, had the effect to render whole communities forgetful of the crime they had committed, defiant toward the Federal Government, and regardless of their duties as citizens. The conciliatory measures of the Government do not seem to have been met even half way. The bitterness and defiance exhibited toward the United States, under such circumstances, is without a parallel in the history of the world. In return for our leniency we receive only an insulting denial of our authority. In return for our kind desire for the resumption of fraternal relations we receive only an insolent assumption of right and privileges long since forfeited. The crime we have punished is paraded as a virtue, and the principles of republican government, which we have vindicated at so terrible a cost, are denounced as unjust and oppressive.

If we add to this evidence the fact that, although peace has been declared by the President, he has not, to this day, deemed it safe to restore the writ of *habeas corpus*, to relieve the insurrectionary States of martial law, nor to withdraw the troops from many localities; and that the commanding general deems an increase of the army indispensable to the preservation of order and the protection of loyal and well-disposed people in the South, the proof of a condition of feeling hostile to the Union and dangerous to the Government throughout the insurrectionary States would seem to be overwhelming.

With such evidence before them, it is the opinion of your committee—

I. That the States lately in rebellion were, at the close of the war, disorganized communities, without civil government, and without constitutions or other forms, by virtue of which political relations could legally exist between them and the Federal Government.

II. That Congress cannot be expected to recognize as valid the election of men from disorganized communities, which, from the very nature of the case, were unable to present their claim to representation under those established and recognized rules, the observance of which has been hitherto required.

III. That Congress would not be justified in admitting such communities to a participation in the government of the country without first providing such constitutional or other guaranties as will tend to secure the civil rights of all citizens of the Republic, a just equality of representation, protection against claims founded in rebellion and crime, a temporary exclusion from the right of suffrage of those who have actively participated in the effort to destroy the Union, and the exclusion from positions of public trust of at least a portion of those whose crimes have proved them enemies of the Union, and unworthy of public confidence.

Your committee will, perhaps, hardly be deemed excusable for extending this report further, but inasmuch as immediate and unconditional representation of the States lately in rebellion is demanded as matter of right, and delay and even hesitation is denounced as grossly oppressive and unjust, as well as unwise and impolitic, it may not be amiss again to call attention to a few undisputed and notorious facts, and the principles of public law applicable thereto, in order that the propriety of that claim may be fully considered and well understood.

The State of Tennessee occupies a position distinct from all the other insurrectionary States, and has been the subject of a separate report, which your committee have not thought it expedient to disturb. Whether Congress shall see fit to make that State the subject of separate action or to include it in the same category with all others, so far as concerns the imposition of preliminary conditions,

it is not within the province of this committee either to determine or advise.

To ascertain whether all the so-called Confederate States "are entitled to be represented in either House of Congress," the essential inquiry is whether there is in any one of them a constituency qualified to be represented in Congress. The question how far persons claiming seats in either House possess the credentials necessary to enable them to represent a duly qualified constituency is one for the consideration of each House separately after the preliminary question shall have been finally determined.

We now propose to restate, as briefly as possible, the general facts and principles applicable to the States recently in rebellion.

First. The seats of the Senators and Representatives from the so-called Confederate States became vacant in the year 1861, during the second session of of the Thirty-sixth Congress, by the voluntary withdrawal of their incumbents with the sanction and by the direction of the Legislatures or conventions of their respective States. This was done as a hostile act against the Constitution and Government of the United States, with a declared intent to overthrow the same by forming a Southern Confederation. This act of declared hostility was speedily followed by an organization of the same States into a confederacy which levied and waged war by sea and land against the United States. This was continued more than four years, within which time the rebel armies besieged the national capital, invaded the loyal States, burned their towns and cities, robbed their citizens, destroyed more than 250,000 loyal soldiers, and imposed an increased national burden of not less than \$3,500,000,000, of which seven or eight hundred millions have already been met and paid. From the time that those confederated States thus withdrew their representation in Congress and levied war against the United States, the great mass of their people became and were insurgents—rebels—traitors; and all of them occupied the political, legal, and practical relation of enemies of the United States. This position is established by acts of Congress and judicial decisions, and is recognized repeatedly by the President in public proclamations, documents, and speeches.

Second. The States thus confederated prosecuted their war against the United States to final arbitrament, and did not cease until all their armies were captured, their military power destroyed, their civil officers, State and Confederate, taken prisoners or put to flight, every vestige of State and Confederate government obliterated, their territory overrun and occupied by the Federal armies, and their people reduced to the condition of enemies conquered in war, entitled only by public law to such rights, privileges, and conditions as might be vouchsafed by the conqueror. This position is also established by judicial decisions, and is recognized as sound by the President in public proclamations, documents, and speeches.

Third. Having voluntarily deprived themselves of representation in Congress, for the criminal purpose of destroying the Federal Union, and having reduced themselves by the act of levying war to the condition of public enemies, they have no right to complain of temporary exclusion from Congress, but, on the contrary, having voluntarily renounced the right of representation and disqualified themselves by crime from participating in the government, the burden now rests upon them, upon claiming to be reinstated in their former condition, to show that they are qualified to resume Federal relations. In order to do this, they must prove that they have established, with the consent of the people, republican forms of government, in harmony with the Constitution and laws of the United States, that all hostile purposes have ceased, and should give adequate guaranties against future treason and rebellion—guaranties



which shall prove satisfactory to the Government against whom they rebelled and by whose arms they were subdued.

Fourth. Having by this treasonable withdrawal from Congress, and by flagrant rebellion and war, forfeited all civil and political rights and privileges under the Federal Constitution, they can only be restored thereto by the permission and authority of that constitutional power by which they were subdued.

Fifth. Those rebellious enemies were conquered by the people of the United States, acting through the coördinate branches of the Government, and not by the Executive Department alone. The powers of the conqueror are not so vested in the President that he can fix and regulate the terms of settlement and confer congressional representation on conquered traitors, nor can he in any way qualify enemies of the Government to reverse its law-making power. The authority to restore rebels to political power in the Federal Government can be exercised only with the concurrence of all the departments in which political power is vested; and hence the several proclamations of the President to the people of the Confederate States cannot be considered declared, and can only be regarded as provisional permissions by the commander-in-chief of the army to do certain acts, the effect and validity whereof is to be determined by the constitutional Government, and not solely by the Executive power.

Sixth. The question before Congress is, then, whether conquered enemies have the right and shall be permitted, at their own pleasure and own terms, to participate in making laws for their conquerors; whether conquered rebels may change their theatre of operations from the battle-field, where they were defeated and overthrown, to the halls of Congress, and their representatives seize upon the Government which they fought to destroy; whether the national treasury, the army of the nation, its navy, its forts and arsenals, its whole civil administration, its credit, its pensioners, the widows and orphans of those who perished in the war—the public honor, peace, and safety shall all be turned over to the keeping of its recent enemies, without delay and without imposing such conditions as, in the opinion of Congress, the security of the country's institutions may demand.

Seventh. The history of mankind exhibits no example of such madness and folly. The instinct of self-preservation protests against it. The surrender by Gen. Grant to Lee, and by Sherman to Johnston, would have been disasters of less magnitude, for new armies could have been raised, battles fought, and the Government saved. The anti-coercive policy, which, under pretext of avoiding bloodshed, allowed the rebellion to take form and gather force, would be surpassed in infamy by the matchless wickedness that would surrender the halls of Congress to those so recently in rebellion, until proper precautions shall have been taken to secure the national faith and the national safety.

Eighth. As has been shown in this report and in the evidence submitted, no proof has been afforded to Congress of a constituency in any one of the so-called Confederate States, unless we except the State of Tennessee, qualified to elect Senators and Representatives in Congress. No State constitution or amendment to a State constitution has had the sanction of the people. All the so-called legislation of State conventions and Legislatures has been had under military dictation. If the President may at his will and under his own authority, whether as military commander or chief executive, qualify persons to appoint Senators and elect Representatives and empower others to elect and appoint them, he thereby practically controls the organization of the legislative department. The constitutional form of government is thereby practically destroyed and its powers absorbed in the Executive. And while your committee do not for a moment impute to the Pres-

ident any such design, but cheerfully concede to him the most patriotic motives, they cannot but look with alarm upon a precedent so fraught with danger to the Republic.

Ninth. The necessity of providing adequate safeguards for the future before restoring the insurrectionary States to a participation in the direction of public affairs, is apparent from the bitter hostility to the Government and people of the United States yet existing throughout the conquered territory, as proved incontestably by the testimony of many witnesses and undisputed facts.

Tenth. The conclusion of your committee, therefore, is that the so-called Confederate States are not at present entitled to representation in the Congress of the United States; that before allowing such representation, adequate security for future peace and safety should be required; that this can only be found in such change of the organic law as shall determine the civil rights and privileges of all citizens in all parts of the republic, shall place representation on an equitable basis, shall fix a stigma upon treason and protect the loyal people against further claims for the expenses incurred in support of rebellion and for manumitted slaves, together with an express grant to Congress to enforce these provisions. To this end they offer a joint resolution for amending the Constitution and the two several bills designed to carry the same into effect before referred to.

Before closing this report, your committee beg leave to state that the specific recommendations submitted by them are the result of mutual concession, after a long and careful comparison of conflicting opinions. Upon a question of such magnitude, infinitely important as it is to the future of the Republic, it was not to be expected that all should think alike. Sensible of the imperfections of the scheme, your committee submit it to Congress as the best they could agree upon, in the hope that its imperfections may be cured and its deficiencies supplied by legislative wisdom, and that, when finally adopted, it may tend to restore peace and harmony to the whole country, and to place our republican institutions on a more stable foundation.

*Minority Report of the Joint Committee in Congress on Reconstruction, made June 8, 1866.*

The undersigned, a minority of the joint committee of the Senate and House of Representatives, constituted under the concurrent resolution of the 13th of December, 1865, making it their duty to "inquire into the condition of the States which formed the so-called Confederate States of America, and to report whether they or any of them are entitled to be represented in either House of Congress, with leave to report by bill or otherwise," not being able to concur in the measures recommended by the majority, or in the grounds upon which they base them, beg leave to report:

In order to obtain a correct apprehension of the subject, and as having a direct bearing upon it, the undersigned think it all-important clearly to ascertain what was the effect of the late insurrection upon the relations of the States where it prevailed to the General Government, and of the people collectively and individually of such States. To this inquiry they therefore first address themselves.

First as to the States. Did the insurrection at its commencement, or at any subsequent time, legally dissolve the connection between those States and the General Government?

In our judgment, so far from this being a "profitless abstraction," it is a vital inquiry. For if that connection was not disturbed, such States during the entire rebellion were as completely component States of the United States as they were before the rebellion, and were bound by all the obligations



which the Constitution imposed, and entitled to all its privileges. Was not this their condition?

The opposite view alone can justify the denial of such rights and privileges. That a State of the Union can exist without possessing them is inconsistent with the very nature of the Government and terms of the Constitution. In its nature the Government is formed of and by States possessing equal rights and powers. States unequal are unknown to the Constitution. In its original formation perfect equality was secured. They were granted the same representation in the Senate, and the same right to be represented in the House of Representatives—the difference in the latter being regulated only by a difference in population. But every State, however small its population, was secured one representative in that branch. Each State was given the right, and the same right, to participate in the election of President and Vice-President, and all alike were secured the benefit of the judicial department. The Constitution, too, was submitted to the people of each State separately, and adopted by them in that capacity. The Convention which framed it considered, as they were bound to do, each as a separate sovereignty that could not be subjected to the Constitution, except by its consent.

That consent was consequently asked and given. The equality, therefore, of rights was the condition of the original thirteen States before the Government was formed, and such equality was not only not interfered with, but guaranteed to them as well in regard to the powers conferred upon the General Government as to those reserved to the States or to the people of the States.

The same equality is secured to the States which have been admitted into the Union since the Constitution was adopted. In each instance the State admitted has been “declared to be one of the United States on an *equal footing with the original States in all respects whatever.*”

The Constitution, too, so far as most of the powers it contains are concerned, operates directly upon the people in their individual and aggregate capacity, and on all alike. Each citizen, therefore, of every State, owes the same allegiance to the General Government, and is entitled to the same protection. The obligation of this allegiance it is not within the legal power of his State or of himself to annul or evade. It is made paramount and perpetual, and for that very reason it is equally the paramount duty of the General Government to allow to the citizens of each State and to the State the rights secured to both, and the protection necessary to their full enjoyment. A citizen may, no doubt, forfeit such rights by committing crime against the United States, upon conviction of the same, where such forfeiture by law antecedently passed is made part of the punishment. But a State cannot, in its corporate capacity, be made liable to such a forfeiture, for a State, as such, under the Constitution, cannot commit or be indicted for a crime. No legal proceeding, criminal or civil, can be instituted to deprive a State of the benefits of the Constitution by forfeiting as against her any of the rights it secures. Her citizens, be they few or many, may be proceeded against under the law and convicted, but the State remains a State of the Union. To concede that by the illegal conduct of her own citizens she can be withdrawn from the Union is virtually to concede the right of secession; for what difference does it make as regards the result, whether a State can rightfully secede (a doctrine, by the by, heretofore maintained by statesmen North as well as South), or whether, by the illegal conduct of her citizens, she ceases to be a State of the Union?

In either case the end is the same; the only difference is, that by the one theory she ceases by law to be such a State, and by the other by crime, without and against law. But the doctrine is wholly erroneous. A State once in the Union must abide in it

forever. She can never withdraw from or be expelled from it. A different principle would subject the Union to dissolution at any moment. It is, therefore, alike perilous and unsound.

Nor do we see that it has any support in the measures recommended by the majority of the committee. The insurrectionary States are by these measures conceded to be States of the Union. The proposed constitutional amendment is to be submitted to them as well as to other States. In this respect each is placed on the same ground. To consult a State not in the Union on the propriety of adopting a constitutional amendment to the Government of the Union, and which is necessarily to affect those States only composing the Union, would be an absurdity; and to allow an amendment which States in the Union might desire to be defeated, by the votes of States not in the Union, would be alike nonsensical and unjust. The very measure, therefore, of submitting to all the States forming the Union before the insurrection a constitutional amendment, makes the inquiry whether all at this time are in or out of the Union a vital one. If they are not, all should not be consulted. If they are, they should be, and should be only because they are. The very fact, therefore, of such a submission, concedes that the Southern States are and never ceased to be States of the Union.

Tested, therefore, either by the nature of our Government or by the laws of the Constitution, the insurrection, now happily and utterly suppressed, has, in no respect, changed the relations of the States where it prevailed to the General Government. On the contrary, they are to all intents and purposes as completely States of the Union as they ever were. In further support of this proposition, if it needed any, we may confidently appeal to the fact just stated, that the very measure recommended, a constitutional amendment to be submitted to such States, furnishes such support. For looking to and regarding the rights of the other States, such a submission has no warrant or foundation except upon the hypothesis that they are as absolutely States of the Union as any of the other States. It can never be, under any circumstances, a “profitless abstraction,” whether under the Constitution a State is or is not a State of the Union. It can never be such an abstraction whether the people of a State once in the Union can voluntarily, or by compulsion, escape or be freed from the obligations it enjoins, or be deprived of the rights it confers or the protection it affords.

A different doctrine necessarily leads to a dissolution of the Union. The Constitution supposes that insurrections may exist in a State, and provides for their suppression by giving Congress the power to call “forth the militia” for the purpose. The power is not to subjugate the State within whose limits the insurrection may prevail, and to extinguish it as a State, but to preserve it as such by subduing the rebellion, by acting on the individual persons engaged in it, and not on the State at all. The power is altogether conservative. It is to protect a State, not to destroy it; to prevent her being taken out of the Union by individual crime; not in any contingency to put her out or keep her out.

The continuance of the Union of all the States is necessary to the intended existence of the Government. The Government is formed by a constitutional association of States, and its integrity depends on the continuance of the entire association. If one State is withdrawn from it by any cause, to that extent is the Union dissolved. Those that remain may exist as a government, but it is not the very Government the Constitution designs. That consists of all, and its character is changed and its power is diminished by the absence of any one.

A different principle leads to a disintegration that must sooner or later result in the separation of all, and the consequent destruction of the Government. To suppose that a power to preserve may, at the



option of the body to which it is given be used to destroy, is a proposition repugnant to common sense; and yet as the late insurrection was put down by means of that power, that being the only one conferred upon Congress to that end, that proposition is the one on which alone it can be pretended that the Southern States are not in the Union now as well as at first. The idea that the war power, as such, has been used, or could have been used, to extinguish the rebellion is, in the judgment of the undersigned, utterly without foundation. That power was given for a different contingency—of a conflict with other governments, an international conflict. If it had been thought that the power was to be resorted to to suppress a domestic strife, the words appropriate to that object would have been used. But so far from this having been done, in the same section that confers it an express provision is inserted to meet the exigency of a domestic strife or insurrection.

To subdue that, authority is given to call out the militia. Whether, in the progress of the effort to suppress an insurrection, the rights incident to war as between the United States and foreign nations may not arise, is a question which in no way changes the character of the contest as between the Government and the insurrectionists. The exercise of such rights may be found convenient or become necessary for the suppression of the rebellion, but the character of the conflict is in no way changed by a resort to them. That remains as at first, and must, from its very nature, during its continuance, remain a mere contest in which the Government seeks, and can only seek, to put an end to the rebellion. That achieved, the original condition of things is at once restored. Two judicial decisions have been made, by judges of eminence and unquestionable ability, which fully sustain our views. In one—that of Amy Warbick, before the U. S. District Court of Massachusetts—Judge Sprague, referring to the supposed effect of the belligerent rights which, it was conceded, belonged to the Government during the rebellion, by giving, when suppressed, the rights of conquest, declared:

“It has been supposed that if the Government have the right of a belligerent, then, after the rebellion is suppressed, it will have the right of conquest; that a State and its inhabitants may be permanently divested of all political advantages, and treated as a foreign territory conquered by arms. This is an error—a grave and dangerous error. Belligerent right cannot be exercised where there are no belligerents. Conquest of a foreign country gives absolute, unlimited sovereign rights, but no nation ever makes such a conquest of its own territory. If a hostile power, either from without or within, takes and holds possession and dominion over any portion of its territory, and the nation, by force of arms, expels or overthrows the enemy and suppresses hostilities, it acquires no new title, and merely regains the possession of that of which it has been temporarily deprived. The nation acquires no new sovereignty, but merely maintains its previous rights.

“When the United States take possession of a rebel district, they merely vindicate their pre-existing title. Under despotic governments confiscation may be unlimited, but under our Government the right of sovereignty over any portion of a State is given and limited by the Constitution, and will be the same after the war as it was before.”

In the other an application for *habeas corpus* to Mr. Justice Nelson, one of the judges of the Supreme Court of the United States, by James Egan, to be discharged from imprisonment to which he had been sentenced by a military commission in South Carolina, for the offence of murder alleged to have been committed in that State, and the discharge was ordered, and in an opinion evidently carefully prepared, among other things he said: “For all that appears,

the civil local courts of the State of South Carolina were in the full exercise of their judicial functions at the time of this trial, as restored by the suppression of the rebellion some seven months previously, and by the revival of the laws and the reorganization of the State in obedience to, and in conformity with, its constitutional duties to the Union. Indeed, long previous to this, the provisional government had been appointed by the President, who is commander-in-chief of the army and navy of the United States (and whose will under martial law constitutes the only rule of action), for the special purpose of changing the existing state of things, and restoring the civil government over the people. In operation of this appointment a new constitution had been formed, a Governor and Legislature elected under it, and the State placed in the full enjoyment of all her constitutional rights and privileges. The constitutional laws of the Union were thereby enjoyed and obeyed, and were as authoritative and binding over the people of the State as in any other portion of the country. Indeed, the moment the rebellion was suppressed, and the Government growing out of it subverted, the ancient laws resumed their accustomed sway, subject only to the new reorganization by the appointment of the proper officers to give them operation and effect. This organization and appointment of the public functionaries, which was under the superintendence and direction of the President, the commander-in-chief of the army and navy of the country, and who, as such, had previously governed the State, from imperative necessity, by the force of martial law, had already taken place, and the necessity no longer existed.”

This opinion is the more authoritative than it might possibly be esteemed otherwise, from its being the first elaborate statement of the reasons which governed the majority of the Supreme Court at the last term, in their judgment in the case of Milligan and others, that military commissions for the trial of civilians are not constitutional. Mr. Justice Nelson was one of that majority, and of course was advised of the grounds of their decision. We submit that nothing could be more conclusive in favor of the doctrine for which they are cited than these judgments. In the one the proposition of conquest of a State as a right under the war to suppress the insurrection is not only repudiated by Judge Sprague, but because of the nature of our government, is considered to be legally impossible. “The right of sovereignty over any portion of a State will,” he tells us, “only be the same after the war as it was before.” In the other we are told that “the suppression of the rebellion restores the courts of the State, and that when her government is reorganized she at once is in the full enjoyment, or entitled to the full enjoyment, of all her constitutional rights and privileges.”

Again, a contrary doctrine is inconsistent with the obligations which the Government is under to each citizen of a State. Protection to each is a part of that obligation, protection not only as against a foreign but a domestic foe. To hold that it is in the power of any part of the people of a State, whether they constitute a majority or minority, by engaging in insurrection and adopting any measure in its prosecution, to make citizens who are not engaged in it, but opposed to it, enemies of the United States, having no right to the protection which the Constitution affords to citizens who are true to their allegiance, is as illegal as it would be flagrantly unjust. During the conflict, the exigency of the strife may justify a denial of such protection, and subject the offending citizen to inconvenience and loss; but the conflict over, the exigency ceases, and the obligation to afford him all the immunities and advantages of the Constitution—one of which is the right to be represented in Congress—becomes absolute and imperative. A different rule would enable the Government to escape a clear duty, and to commit a gross violation of the Constitution. It has been said that the



Supreme Court have entertained a different doctrine in the prize cases. This, in the judgment of the undersigned, is a clear misapprehension. One of the questions in those cases was, whether in such a contest as was being waged for the extinguishment of the insurrection, belligerent rights, as between the United States and other nations, belonged to the former. The court properly held that they did, but the parties engaged in the rebellion were designated as traitors, and liable to be tried as traitors when the rebellion should terminate. If the Confederate States, by force of insurrection, became foreign States, and lost their character as States of the Union, then the contest was an international one, and treason was no more committed by citizens of the former against the latter than those of the latter against the former. Treason necessarily assumes allegiance to the Government, and allegiance necessarily assumes a continuing obligation to the Government. Neither predicament was true except upon the hypothesis that the old state of things continued: in other words, that the States, notwithstanding the insurrection, were continuously and are now States of the United States, and their citizens responsible to the Constitution and the laws.

Secondly. What is there, then, in the present political condition of such States that justifies their exclusion from representation in Congress? Is it because they are without organized governments, or without governments republican in point of form? In fact, we know that they have governments completely organized, with legislative, executive, and judicial functions. We know that they are now in successful operation. No one within their limits questions their loyalty, or is denied their protection. How they were formed, under what auspices they were formed, are inquiries with which Congress has no concern. The right of the people of a State to form a government for themselves has never been questioned. In the absence of any restriction, that right would be absolute; any form might be adopted that they might determine upon. The Constitution imposes but a single restriction, that the Government adopted shall be "of a republican form," and this is done in the obligation to guarantee every State such a form. It gives no power to frame a constitution for a State. It operates alone upon one already formed by the State. In the words of the *Federalist* (No. 44) "it supposes a preexisting government of the form which is to be guaranteed." It is not pretended that the existing governments of the States in question are not of the required form. The objection is that they were not legally established. But it is confidently submitted that that is a matter with which Congress has nothing to do. The power to establish or modify a State government belongs exclusively to the people of the State. When they shall exercise it, what provision it shall contain, it is their exclusive right to decide, and when decided, their decision is obligatory upon everybody, and independent of all congressional control, if such government be republican. To convert an obligation of guaranty into an authority to interfere in any way in the formation of the government to be guaranteed is to do violence to language. If it is to be said that the President did illegally interfere in the reorganization of such governments, the answers are obvious. First, If it were true, if the people of such States not only have not, but do not complain of it, but, on the contrary, have pursued his advice, and are satisfied with and are living under the governments they have adopted, and those governments are republican in form, what right has Congress to interfere or deny their legal existence? Second. Conceding, for argument's sake, that the President's alleged interference was unauthorized, does it not, for the same reason, follow that any like interference by Congress would be equally unauthorized? A different view is not to be maintained, be-

cause of the difference in the nature of the powers conferred upon Congress and the President—the one being legislative and the other executive—for it is equally and upon the same ground beyond the scope of either to form a government for the people of a State once in the Union, or to expel such a State from the Union, or to deny temporarily or permanently the rights which belong to a State and her people under the Constitution.

Congress may admit new States, but a State once admitted ceases to be within its control, and can never again be brought within it. What changes her people may at any time think proper to make in her constitution is a matter with which neither Congress nor any department of the Government can interfere, unless such changes make the State government anti-republican, and then it can only be done under the obligation to guarantee that it be republican. Whatever may be the extent of the power conferred upon Congress in the third section, article 4, of the Constitution, to admit new States, in what manner and to what extent they can under that power interfere in the formation and character of the constitution of such States preliminary to admission into the Union, no one has ever pretended that when that is had the State can again be brought within its influence. The power is exhausted when once extended, the subject forthwith rising out of its reach. The States admitted, like the original thirteen States, become at once and forever independent of congressional control. A different view would change the entire character of the Government, as its framers and their contemporaries designed and understood it to be. They never intended to make the State governments subordinate to the General Government. Each was to move supreme within its own orbit, but as each would not alone have met the exigencies of a government adequate to all the wants of the people, the two, in the language of Mr. Jefferson, constituted "coördinate departments of one single and integral whole, the one having the power of legislation and the administration in affairs which concerned their own citizens only," the other, "whatever concerned foreigners or citizens of other States." Within their respective limits each is paramount. The States as to all powers not delegated to the General Government are as independent of that government as the latter in regard to all powers that are delegated to it is independent of the governments of the States. The proposition, then, that Congress can, by force or otherwise, under the war, or insurrectionary or any other power, expel a State from the Union, or reduce it to a territorial condition, and govern it as such, is utterly without foundation. The undersigned deem it unnecessary to examine the question further. They leave it upon the observations submitted, considering it perfectly clear that States, notwithstanding occurring insurrections, continue to be States of the Union.

Thirdly. If this is so, it necessarily follows that the rights of States under the Constitution, as originally possessed and enjoyed by them, are still theirs, and those they are now enjoying as far as they depend upon the executive and judicial departments of the Government. By each of these departments they are recognized as States. By the one all the officers of the Government required by law to be appointed in such States have been appointed, and are discharging without question their respective functions. By the other they are, as States, enjoying the benefits and subjected to the powers of that department, a fact conclusive to show that, in the estimation of the judiciary, they are, as they were at first, States of the Union, bound by the laws of the Union, and entitled to all the rights incident to that relation. And yet, so far, they are denied that right which the Constitution properly esteems as the security for all the others, that right without which government is any thing but a republic—is, indeed, but a tyranny—the right of having a voice in the



legislative department, whose laws bind them in person and in property. This, it is submitted, is a state of things without example in representative republican government, and Congress, as long as it denies this right, is a mere despotism. Citizens may be made to submit to it by force or dread of force, but a fraternal spirit of good feeling toward those who impose it, so important to the peace and prosperity of the country, are not to be hoped for, but rather unhappiness, dissatisfaction, and enmity. There is but one ground on which such conduct can find any excuse—the supposed public necessity, the peril of destruction to which the Government would be subjected if the right were allowed. But for such a supposition there is not, in the opinion of the undersigned, even a shadow of foundation.

The representatives of the States in which there was no insurrection, if the others were represented, would, in the House, under the present apportionment, exceed the latter by a majority of seventy-two votes, and have a decided preponderance in the Senate. What danger to the Government, then, can possibly arise from Southern representation? Are the present Senators and Representatives fearful of themselves? Are they apprehensive that they might be led to the destruction of our institutions by the persuasion or any other influence of Southern members? How disparaging to themselves is such an apprehension! Are they apprehensive that those who may succeed them from their respective States may be so fatally led astray? How disparaging is that supposition to the patriotism and wisdom of their constituents! Whatever effect on mere party success in the future such a representation may have we shall not stop to inquire. The idea that the country is to be kept in turmoil, States to be reduced to bondage, and their rights under the Constitution denied, and their citizens degraded, with a view to the continuance in power of a mere political party, cannot for a moment be entertained, without imputing grave dishonesty of purpose and gross dereliction of duty to those who may entertain it. Nor do we deem it necessary to refer particularly to the evidence taken by the committee, to show that there is nothing in the present condition of the people of the Southern States that even excuses, on that ground, a denial of representation to them. We content ourselves with saying that, in our opinion, the evidence most to be relied upon, whether regarding the character of the witnesses or their means of information, shows that representatives from the Southern States would prove perfectly loyal. We especially refer for this only to the testimony of Lieut. General Grant—his loyalty and investigations no one can doubt. In his letter to the President, of the 18th December, 1865, after he had recently visited South Carolina, North Carolina, and Georgia, he says:

Both in travelling and whilst stopping, I saw much and conversed freely with the citizens of those States, as well as with officers of the army who have been among them. The following are the conclusions come to by me: I am satisfied that the mass of the thinking men of the South accept the present situation of affairs in good faith. The questions which have heretofore divided the sentiments of the people of the two sections, slavery and State rights, or the right of a State to secede from the Union, they regard as having been settled forever by the highest tribunal (arms) that man can resort to. I was pleased to learn from the leading men whom I met that they not only accepted the decision arrived at as final, but now that the smoke of battle had cleared away and time had been given for reflection, that this decision had been a fortunate one for the whole country, they receiving the like benefits from it with those who opposed them in the field and in the cause. My observations lead me to the conclusion that the citizens of the Southern States are anxious to return to self-government within the Union as soon as possible; that whilst reconstructing, they want and require protection from the Government; that they are in earnest in wishing to do what they think is required by the Government—not humiliating to them as citizens—and that if such a course were pointed out, they would pursue it in good faith. It is to be regretted that there cannot be a greater commingling at this time between the citizens of the

two sections, and particularly of those intrusted with the law-making power.

Secession, as a practical doctrine ever hereafter to be resorted to, is almost utterly abandoned. It was submitted to and failed before the ordeal of battle. Nor can the undersigned imagine why, if its revival is anticipated as possible, the committee have not recommended an amendment to the Constitution, guarding against it in terms. Such an amendment, it cannot be doubted, the Southern as well as the Northern States would cheerfully adopt. The omission of such a recommendation is pregnant evidence that secession, as a constitutional right, is thought by the majority of the committee to be practically a mere thing of the past, as all the proof taken by them show it to be in the opinion of all the leading Southern men who hitherto entertained it. The desolation around them, the hecatombs of their own slain, the stern patriotism of the men of the other States, exhibited by unlimited expenditure of treasure and of blood, and their love of the Union, so sincere and deep-seated that it is sure they will hazard all to maintain it, have convinced the South that as a practical doctrine secession is extinguished forever. State secession then abandoned and slavery abolished by the Southern States themselves, or with their consent, upon what statesmanlike ground can such States be denied all the rights which the Constitution secures to the States of the Union? All admit that to do so at the earliest period is demanded by every consideration of duty and policy, and none deny that the actual interest of the country is, to a great extent, involved in such admission. The staple productions of the Southern States are as important to the other States as to themselves. Those staples largely enter into the wants of all alike, and they are also most important to the financial credit of the Government. Those staples will never be produced as in the past until real peace, resting, as it can alone rest, on the equal and uniform operation of the Constitution and laws on all, is attained.

To suppose that a brave and sensitive people will give an undivided attention to the increase of mere material wealth, whilst retained in a state of political inferiority and degradation, is mere folly. They desire to be again in the Union, to enjoy the benefits of the Constitution, and they invoke you to receive them. They have adopted constitutions free from any intrinsic objection, and have agreed to every stipulation thought by the President to be necessary for the protection and benefit of all, and, in the opinion of the undersigned, they are amply sufficient. Why exact, as a preliminary condition to representation, more? What more are supposed to be necessary? First, the repudiation of the rebel debt; second, the denial of all obligations to pay for manumitted slaves; third, the inviolability of our own debt. If these provisions are deemed necessary they cannot be defeated, if the South were disposed to defeat them, by the admission into Congress of their representatives. Nothing is more probable, in the opinion of the undersigned, than that many of the Southern States would adopt them all; but those measures the committee connect with others, which, we think, the people of the South will never adopt. They are asked to disfranchise a numerous class of their citizens, and also to agree to diminish their representation in Congress, and, of course, in the electoral college, or to admit to the right of suffrage their colored males of twenty-one years of age and upward (a class now in a condition of almost utter ignorance), thus placing them on the same political footing with white citizens of that age. For reasons so obvious that the dullest may discover them, the right is not directly asserted of granting suffrage to the negro. That would be obnoxious to most of the Northern and Western States—so much so that their consent was not to be anticipated. But as the plan adopted, because of the limited number of negroes in such States, will have no effect on their



representation, it is thought it may be adopted, whilst in the Southern States it will materially lessen their number. That these latter States will assent to the measure can hardly be expected. The effect, then, if not the purpose, of the measure is forever to deny representatives to such States, or, if they consent to the condition, to weaken their representative power, and thus probably secure a continuance of such a party in power as now control the legislation of the Government. The measure, in its terms and its effect, whether designed or not, is to degrade the Southern States. To consent to it is to consent to their own dishonor.

The manner, too, of presenting the proposed constitutional amendment, in the opinion of the undersigned, is impolitic and without precedent. The several amendments suggested have no connection with each other. Each, if adopted, would have its appropriate effect if the others were rejected, and each, therefore, should be submitted as a separate article, without subjecting it to the contingency of rejection if the States should refuse to ratify the rest. Each by itself, if an advisable measure, should be submitted to the people, and not in such a connection with those which they may think unnecessary or dangerous as to force them to reject all. The repudiation of the rebel debt and all obligation to compensate for the loss of slave property, and the inviolability of the debt of the Government, no matter how contracted, provided for by some of the sections of the amendment, we repeat, would meet the approval of many of the Southern States. But these no State can sanction without sanctioning others, which, we think, will not be done by them or some of the Northern States. To force negro suffrage upon any State by means of the penalty of a loss of part of its representation will not only be to impose a disparaging condition, but virtually to interfere with the clear right of each State to regulate suffrage for itself without the control of the Government of the United States. Whether that control be exerted directly or indirectly, it will be considered, as it is, a fatal blow to the right which every State in the past has held vital—the right to regulate her franchise. To punish a State for not regulating it in a particular way, so as to give to all classes of the people the privilege of suffrage, is but seeking to accomplish incidentally what, if it should be done at all, should be done directly. No reason, in the view of the undersigned, can be suggested for the course adopted, other than a belief that such a direct interference would not be sanctioned by the Northern and Western States, whilst as regards such States, the actual recommendation because of the small proportion of negroes within their limits will not in the least lessen their representative power in Congress, or their influence in the Presidential election, and they may therefore sanction it. This very inequality in its operation upon the States renders the measure, in our opinion, most unjust, and, looking to the peace and quiet of the country, most impolitic. But the mode advised is also not only without, but against all precedent. When the Constitution was adopted it was thought to be defective in not sufficiently protecting certain rights of the States and the people. With a view of supplying a remedy for this defect, on the 4th of March, 1789, various amendments, by a resolution constitutionally passed by Congress, were submitted for ratification to the States. They were twelve in number. Several of them were even less independent of each other than are those recommended by the committee; but it did not occur to the men of that day that it was right to force the States to adopt or reject all. Each was therefore presented as a separate article. The language of the resolution was, “that the following articles be proposed to the Legislatures of the several States as amendments of the Constitution of the United States all or any of such articles, when ratified by three-fourths of the said Legislatures, are valid to all intents and pur-

poses as part of the Constitution.” The Congress of that day was willing to obtain either of the submitted amendments—to get a part, if not able to procure the whole. They thought—and in that we submit they but conformed to the letter and spirit of the amendatory clause of the Constitution—that the people have the right to pass severally on any proposed amendments. This course of our fathers is now departed from, and the result will probably be that no one of the suggested amendments, though some may be approved, will be ratified. This will certainly be the result, unless the States are willing practically to relinquish the right they have always enjoyed, never before questioned by any recognized statesman, and all-important to their interests and security, the right to regulate the franchise in all their elections. There are, too, some general considerations that bear on the subject, to which we will now refer:

First. One of the resolutions of the Chicago Convention, by which Mr. Lincoln was first nominated for the Presidency, says, “that the maintenance inviolate of the rights of the States” is essential to the balance of power on which the prosperity and endurance of our political fabric depends. In his inaugural address of March 4, 1861, which received the almost universal approval of the people, amongst other things he said: “No State of its own mere motion can lawfully get out of the Union;” “and that in the view of the Constitution and the laws the Union is unbroken, and to the extent of my ability I shall take care, as the Constitution itself expressly enjoins upon me, that the laws of the Union be faithfully executed in all the States.”

Second. Actual conflict soon afterward ensued. The South, it was believed, misapprehended the purpose of the Government in carrying it on, and Congress deemed it important to dispel that misapprehension by declaring what the purpose was. This was done in July, 1861, by their passing the following resolution of Mr. Crittenden:

“That in this national emergency, Congress, banishing all feeling of mere passion or resentment, will recollect only its duty to the whole country; that this war is not waged upon our part in any spirit of oppression, nor for any purpose of conquest or subjugation, nor purpose of overthrowing or interfering with the rights or established institutions of those States; but to defend and maintain the supremacy of the Constitution, and to preserve the Union with all the dignity, equality, and rights of the States unimpaired; that as soon as these objects are accomplished the war ought to cease.”

The vote in the House was 119 for, and 2 against it, and in the Senate 30 for, and 5 against it. The design to conquer, or subjugate, or to curtail, or interfere in any way with the rights of the States, is in the strongest terms thus disclaimed, and the only avowed object asserted to be “to defend and maintain the spirit of the Constitution, and to preserve the Union, and the dignity, equality, and rights of the several States unimpaired.” Congress, too, by the act of July 13, 1861, empowered the President to declare by proclamation “that the inhabitants of such State or States, where the insurrection existed, are in a state of insurrection against the United States,” and thereupon to declare that “all commercial intercourse, by and between the same, by the citizens thereof and the citizens of the United States, shall cease and be unlawful, so long as such condition of hostility shall continue.” Here, also, Congress evidently deals with the States as being in the Union, and to remain in the Union. It seeks to keep them in by forbidding commercial intercourse between their citizens and the citizens of the other States, so long, and so long only, as insurrectionary hostility shall continue. That ended, they are to be as at first, entitled to the same intercourse with citizens of other States that they enjoyed before the insurrection. In other words, in this act, as in the



resolution of the same month, the dignity, equality, and rights of such States (the insurrection ended) were not to be held, in any respect, impaired. The several proclamations of amnesty, issued by Mr. Lincoln and his successor, under the authority of Congress, are also inconsistent with the idea that the parties included within them are not to be held in the future restored to all rights belonging to them as citizens of their respective States. A power to pardon is a power to restore the offender to the condition in which he was before the date of the offence pardoned.

It is now settled that a pardon removes not only the punishment, but all legal disabilities consequent on the crime. (7 Bac. A. B., Tit. Par.) Bishop on Criminal Law (vol. i., p. 713) states the same doctrine. The amnesties so declared would be but false pretences if they were, as now held, to leave the parties who have availed themselves of them in almost every particular in the condition they would have been in if they had rejected them. Such a result, it is submitted, would be a foul blot on the good name of the nation. Upon the whole, therefore, in the present state of the country, the excitement which exists, and which may mislead Legislatures already elected, we think that the mature sense of the people is not likely to be ascertained on the subject of the proposed amendment by its submission to existing State Legislatures. If it should be done at all, the submission should either be to Legislatures hereafter to be elected or to conventions of the people chosen for the purpose. Congress may select either mode, but they have selected neither. It may be submitted to Legislatures already in existence whose members were heretofore elected with no view to the consideration of such a measure. And it may consequently be adopted, though a majority of the people of the States disapprove of it. In this respect, if there were no other objections to it, we think it most objectionable. Whether regard be had to the nature or the terms of the Constitution, or to the legislation of Congress during the insurrection, or to the course of the judicial department, or to the conduct of the Executive, the undersigned confidently submit that the Southern States are States in the Union, and entitled to every right and privilege belonging to the other States. If any portion of their citizens be disloyal, or are not able to take any oath of office that has been or may be constitutionally prescribed, is a question irrespective of the right of the States to be represented. Against the danger, whatever that may be, of the admission of disloyal or disqualified members into the Senate or House, it is in the power of each branch to provide against by refusing such admission. Each by the Constitution is made the judge of the elections, returns, and qualifications of its own members. No other department can interfere with it. Its decision includes all others. The only correction when error is committed consists in the responsibility of the members to the people. But it is believed by the undersigned to be the clear duty of each House to admit any Senator or Representative who has been elected according to the constitutional laws of the State, and who is able and willing to subscribe to the oath required by constitutional law.

It is conceded by the majority that "it would undoubtedly be competent for Congress to waive all formalities and to admit those Confederate States at once, trusting that time and experience would set all things right." It is not, therefore, owing to a want of constitutional power that it is not done. It is not because such States are not States with republican forms of government. The exclusion must, therefore, rest on considerations of safety or expediency alone. The first, that of safety, we have already considered, and as we think proved it to be without foundation. Is there any ground for the latter, expediency? We think not. On the contrary, in our judgment, their admission is called for by the clear-

est expediency. Those States include a territorial area of 850,000 square miles, an area larger than that of five of the leading nations of Europe. They have a coast line of 3,000 miles, with an internal water line, including the Mississippi, of about 36,000 miles. Their agricultural products in 1850 were about \$360,000,000, in value, and their population 9,664,656. Their staple productions are of immense and growing importance, and are almost peculiar to that region. That the North is deeply interested in having such a country and people restored to all the rights and privileges that the Constitution affords, no sane man, not blinded by mere party considerations, or not a victim of disordering prejudice, can for a moment doubt. Such a restoration is also necessary to the peace of the country. It is not only important, but vital to the potential wealth of which that section of the country is capable, that cannot otherwise be fully developed. Every hour of illegal political restraint, every hour the possession of the rights the Constitution gives is denied, is not only in a political, but a material sense, of great injury to the North as well as to the South. The Southern planter works for his Northern brethren as well as for himself. His labors heretofore injured as much, if not more, to their advantage than to his. Whilst harmony in the past between the sections gave to the whole a prosperity, a power, and a renown of which every citizen had reason to be proud, the restoration of such harmony will immeasurably increase them all. Can it, will it be restored as long as the South is kept in political and dishonoring bondage? And can it not, will it not be restored by an opposite policy—by admitting her to all the rights of the Constitution, and by dealing with her citizens as equals and as brothers, not as inferiors or enemies? Such a course as this will, we are certain, soon be seen to bind them heart and soul to the Union, and inspire them with confidence in its Government by making them feel that all enmity is forgotten, and that justice is being done to them. The result of such a policy, we believe, will at once make us in very truth one people, as happy, as prosperous, and as powerful as ever existed in the tide of time; whilst its opposite cannot fail to keep us divided, injuriously affect the particular and general welfare of citizens and government, and, if long persisted in, result in danger to the nation. In the words of an eminent British Whig statesman, now no more: "A free constitution and large exclusions from its benefits cannot subsist together; the constitution will destroy them, or they will destroy the constitution." It is hoped that, heeding the warning, we will guard against the peril by removing the cause.

The undersigned have not thought it necessary to examine into the legality of the measures adopted, either by the late or the present President, for the restoration of the Southern States. It is sufficient for their purpose to say that, if those of President Johnson were not justified by the Constitution, the same may, at least, be said of those of his predecessor.

We deem such an examination to be unnecessary, because, however it might result, the people of the several States, who possessed, as we have before said, the exclusive right to decide for themselves what constitutions they should adopt, have adopted those under which they respectively live. The motives of neither President, however, whether the measures are legal or not, are liable to censure. The sole object of each was to effect a complete and early Union of all the States; to make the General Government, as it did at first, embrace all, and to extend its authority, and secure its privileges and blessings to all alike. The purity of motive of President Johnson in this particular, as was to have been expected, is admitted by the majority of the committee to be beyond doubt. For whatever was their opinion of the unconstitutionality



of his course, and its tendency to enlarge the executive power, they tell us that they "do not for a moment impute to him any such design, but cheerfully concede to him the most patriotic motives." And we cannot forbear to say in conclusion, upon that point, that he sins against light, and closes his eyes to the course of the President during the rebellion, from its inception to its close, who ventures to impeach his patriotism. Surrounded by insurrectionists, he stood firm. His life was almost constantly in peril, and he clung to the Union and discharged all the obligations it imposed upon him even the closer because of the peril. And now that he has escaped unharmed, and by the confidence of the people has had devolved upon him the executive functions of the Government, to charge him with disloyalty is either a folly or a slander—folly in the fool who believes it, slander in the man of sense, if any such there be, who utters it.

REVERDY JOHNSON,  
A. J. ROGERS,  
HENRY GRIDER.

*An Act for the Union of Canada, Nova Scotia, and New Brunswick, and the Government thereof, as passed by the Parliament of Great Britain.*

Whereas, the Provinces of Canada, Nova Scotia, and New Brunswick have expressed their desire to be federally united into one dominion, under the crown of the United Kingdom of Great Britain and Ireland, with a constitution similar in principle to that of the United Kingdom;

And whereas such a union would conduce to the welfare of the Provinces, and promote the interests of the British empire;

And whereas, on the establishment of the union, by authority of Parliament, it is expedient not only that the constitution of the legislative authority in the dominion be provided for, but also that the nature of the executive government therein be declared;

And whereas it is expedient that provision be made for the eventual admission into the union of other parts of British North America;

Be it, therefore, enacted and declared by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present Parliament assembled, and by the authority of the same, as follows:

#### I. PRELIMINARY.

1. This act may be cited as "The British North American Act, 1867."

2. The provisions of this act referring to her majesty the Queen, extend also to the heirs and successors of her majesty, kings and queens of the United Kingdom of Great Britain and Ireland.

#### II. UNION.

3. It shall be lawful for the Queen, by and with the advice of her majesty's most honorable privy council, to declare, by proclamation, that on and after a day therein appointed, not being more than six months after the passing of this act, the Provinces of Canada, Nova Scotia, and New Brunswick shall form and be one dominion, under the name of Canada; and on and after that day those three Provinces shall form and be one dominion under that name accordingly.

4. The subsequent provisions of the act shall, unless it is otherwise expressed or implied, commence and have effect on and after the union, that is to say, on and after the day appointed for the union taking effect in the Queen's proclamation; and in the same provisions, unless it is otherwise expressed or implied, the name Canada shall be taken to mean Canada as constituted under this act.

5. Canada shall be divided into four provinces, named Ontario, Quebec, Nova Scotia, and New Brunswick.

6. The parts of the Province of Canada (as it exists at the passing of the act) which formerly constituted respectively the Provinces of Upper Canada and Lower Canada shall be deemed to be severed, and shall form two separate Provinces. The part which formerly constituted the Province of Upper Canada shall constitute the Province of Ontario, and the Province of Lower Canada shall constitute the Province of Quebec.

7. The Provinces of Nova Scotia and New Brunswick shall have the same limits as at the passing of this act.

8. In the general census of the population of Canada, which is hereby ordered to be taken in the year one thousand eight hundred and seventy-one, and in every tenth year thereafter, the respective populations of the four Provinces shall be distinguished.

#### III. THE EXECUTIVE POWER.

9. The executive government and authority of and over Canada is hereby declared to continue and be vested in the Queen.

10. The provisions of this act referring to the governor-general extend and apply to the governor-general for the time being of Canada, or other the chief executive officer or administrator for the time being carrying on the government of Canada on behalf and in the name of the Queen, by whatever title he is designated.

11. There shall be a council to aid and advise in the government of Canada, to be styled the Queen's Privy Council for Canada; and the persons who are to be members of that council shall be from time to time chosen and summoned by the governor-general and sworn in as privy councillors, and members thereof may be, from time to time, removed by the governor-general.

12. All powers, authorities, and functions which, under any act of the Parliament of Great Britain, or of the Parliament of the United Kingdom of Great Britain and Ireland, or of the Legislatures of Upper Canada, Lower Canada, Canada, Nova Scotia, or New Brunswick, are at the union vested in, or exercisable by, the respective governors or lieutenant-governors of those Provinces, with the advice and consent of the respective executive councils thereof, or in conjunction with those councils, or with any number of members thereof, or by those governors or lieutenant-governors individually, shall, as far as the same continue in existence and capable of being exercised after the union in relation to the government of Canada, be vested in and exercisable by the governor-general, with the advice or with the advice and consent of or in conjunction with the Queen's Privy Council for Canada, or any members thereof, or by the governor-general individually, as the case requires, subject nevertheless (except with respect to such as exist under acts of the Parliament of Great Britain or of the Parliament of the United Kingdom of Great Britain and Ireland) to be abolished or altered by the Parliament of Canada.

13. The provisions of this act referring to the governor-general in council shall be construed as referring to the governor-general, acting by and with the advice of the Queen's Privy Council for Canada.

14. It shall be lawful for the Queen, if her majesty thinks fit, to authorize the governor-general from time to time to appoint any person, or any persons, jointly or severally, to be his deputy or deputies, within any part or parts of Canada, and in that capacity to exercise, during the pleasure of the governor-general, as the governor-general deems it necessary or expedient to assign to him or them, subject to any limitations or directions expressed or given by the Queen; but the appointment of such a



deputy or deputies shall not affect the exercise by the governor-general himself of any power, authority, or function.

15. The command-in-chief of the land and naval militia, and of all naval and military forces, of and in Canada, is hereby declared to continue and be vested in the Queen.

16. Until the Queen otherwise directs, the seat of government of Canada shall be Ottawa.

#### IV. THE LEGISLATIVE POWER.

17. There shall be one Parliament for Canada, consisting of the Queen, an upper house styled the Senate, and the House of Commons.

18. The privileges, immunities, and powers to be held, enjoyed, and exercised by the Senate and by the House of Commons, and by the members thereof, respectively, shall be such as are from time to time defined by act of the Parliament of Canada, but so that the same shall never exceed those at the passing of this act held, enjoyed, and exercised by the Commons House of Parliament of the United Kingdom of Great Britain and Ireland, and by the members thereof.

19. The Parliament of Canada shall be called together not less than six months after the union.

20. There shall be a session of the Parliament of Canada once at least in every year, so that twelve months shall not intervene between the last sitting of the Parliament in one session and its first sitting in the next session.

#### SENATE.

21. The senate shall, subject to the provisions of this act, consist of seventy-two members, who shall be styled senators.

22. In relation to the constitution of the Senate, Canada shall be deemed to consist of three divisions:

- (1.) Ontario.
- (2.) Quebec.
- (3.) The Maritime Provinces, Nova Scotia and New Brunswick,

which three divisions shall [subject to the provisions of this act] be equally represented in the senate, as follows: Ontario by twenty-four senators; Quebec by twenty-four senators; and the Maritime Provinces by twenty-four senators, twelve thereof representing Nova Scotia, and twelve thereof representing New Brunswick.

In the case of Quebec, each of the twenty-four senators representing that Province shall be appointed for one of the twenty-four electoral divisions of Lower Canada, specified in schedule A to Chapter I. of the Consolidated Statutes of Canada.

23. The qualifications of a senator shall be as follows:

- (1.) He shall be of the full age of thirty years:
- (2.) He shall be either a natural born subject of the Queen, or a subject of the Queen naturalized by an act of the Parliament of the United Kingdom of Great Britain and Ireland, or of the Legislature of one of the Provinces of Upper Canada, Lower Canada, Canada, Nova Scotia, or New Brunswick, before the union: or of the Parliament of Canada after the union.
- (3.) He shall be legally or equitably seized as of freehold for his own use and benefit, of lands or tenements held in free and common socage, or seized or possessed for his own use and benefit of lands or tenements held in Franc-alleu or in roture, within the Province for which he is appointed, of the value of four thousand dollars, over and above all rents, dues, debts, charges, mortgages, and incumbrances, due or payable out of or charged on or affecting the same:
- (4.) His real and personal property shall be together worth four thousand dollars, over and above his debts and liabilities:
- (5.) He shall be resident in the Province for which he is appointed:

(6.) In the case of Quebec, he shall have his real property qualification in the electoral division for which he is appointed, or shall be resident in that division.

24. The governor-general shall, from time to time, in the Queen's name, by instrument under the great seal of Canada, summon qualified persons to the senate; and, subject to the provisions of this act, every person so summoned shall become and be a member of the senate and a senator.

25. Such persons shall be first summoned to the senate as the Queen by warrant under her majesty's royal sign manual thinks fit to approve, and their names shall be inserted in the Queen's proclamation of union.

26. If at any time, on the recommendation of the governor-general, the Queen thinks fit to direct that three or six members be added to the senate, the governor-general may by summons to three or six qualified persons (as the case may be), representing equally the three divisions of Canada, add to the senate accordingly.

27. In case of such addition being at any time made, the governor-general shall not summon any person to the senate, except on a further like direction by the Queen on the like recommendation, until each of the three divisions of Canada is represented by twenty-four senators, and no more.

28. The number of senators shall not at any time exceed seventy-eight.

29. A senator shall, subject to the provisions of this act, hold his place in the senate for life.

30. A senator may, by writing under his hand, addressed to the governor-general, resign his place in the senate, and thereupon the same shall be vacant.

31. The place of a senator shall become vacant in any of the following cases:

- (1.) If for two consecutive sessions of the Parliament he fails to give his attendance in the senate:
- (2.) If he takes an oath or makes a declaration or acknowledgment of allegiance, obedience, or adherence to a foreign power, or does an act whereby he becomes a subject or citizen, or entitled to the rights or privileges of a subject or citizen, or a foreign power:
- (3.) If he is adjudged bankrupt or insolvent, or applies for the benefit of any law relating to insolvent debtors, or becomes a public defaulter:
- (4.) If he is attainted of treason or convicted of felony, or of any infamous crime:
- (5.) If he ceases to be qualified in respect of property or of residence; provided, that a senator shall not be deemed to have ceased to be qualified in respect of residence by reason only of his residing at the seat of the government of Canada, while holding an office under that government requiring his presence there.

32. When a vacancy happens in the senate by resignation, death, or otherwise, the governor-general shall by summons to a fit and qualified person fill the vacancy.

33. If any question arises respecting the qualification of a senator or a vacancy in the senate the same shall be heard and determined by the senate.

34. The governor-general may from time to time, by instrument under the great seal of Canada, appoint a senator to be speaker of the senate, and may remove him and appoint another in his stead.

35. Until the Parliament of Canada otherwise provides, the presence of at least fifteen senators, including the speaker, shall be necessary to constitute a meeting of the senate for the exercise of its powers.

36. Questions arising in the senate shall be decided by a majority of voices, and the speaker shall in all cases have a vote, and when the voices are equal the decision shall be deemed to be in the negative.



## THE HOUSE OF COMMONS.

37. The house of commons shall, subject to the provisions of this act, consist of one hundred and eighty-one members, of whom eighty-two shall be elected for Ontario, sixty-five for Quebec, nineteen for Nova Scotia, and fifteen for New Brunswick.

38. The governor-general shall from time to time in the Queen's name, by instrument under the great seal of Canada, summon and call together the house of commons.

39. A senator shall not be capable of being elected or of sitting or voting as a member of the house of commons.

40. Until the Parliament of Canada otherwise provides, Ontario, Quebec, Nova Scotia, and New Brunswick shall, for the purposes of the election of members to serve in the house of commons, be divided into electoral districts as follows:

1. *Ontario*.—Ontario shall be divided into the counties, ridings of counties, cities, parts of cities, and towns enumerated in the first schedule to this act, each whereof shall be an electoral district, each such district as numbered in that schedule being entitled to return one member.

2. *Quebec*.—Quebec shall be divided into sixty-five electoral districts, composed of the sixty-five electoral divisions into which Lower Canada is at the passing of this act divided under chapter 2 of the Consolidated Statutes of Canada, chapter 75 of the Consolidated Statutes for Lower Canada, and the act of the Province of Canada of the 23d year of the Queen, chapter 1, or any other act amending the same in force at the union, so that each such electoral division shall be for the purposes of this act an electoral district entitled to return one member.

3. *Nova Scotia*.—Each of the eighteen counties of Nova Scotia shall be an electoral district. The county of Halifax shall be entitled to return two members, and each of the other counties one member.

4. *New Brunswick*.—Each of the fourteen counties into which New Brunswick is divided, including the city and county of St. John, shall be an electoral district. The city of St. John shall also be a separate electoral district. Each of those fifteen electoral districts shall be entitled to return one member.

41. Until the Parliament of Canada otherwise provides, all laws in force in the several Provinces at the union relative to the following matters or any of them, namely—the qualifications and disqualifications of persons to be elected or to sit or vote as members of the house of assembly or legislative assembly in the several Provinces, the voters at elections of such members, the oaths to be taken by voters, the returning officers, their powers and duties, the proceedings at elections, the periods during elections, and proceedings incident thereto, the vacating of seats of members, and the execution of new writs in case of seats vacated otherwise than by dissolution—shall respectively apply to elections of members to serve in the House of Commons for the same several Provinces.

Provided that, until the Parliament of Canada otherwise provides, at any election for a member of the House of Commons for the District of Algoma, in addition to persons qualified by the law of the Province of Canada to vote, every male British subject, aged twenty-one years or upward, being a householder, shall have a vote.

42. For the first election of members to serve in the house of commons the governor-general shall cause writs to be issued by such person, in such form, and addressed to such returning officers as he thinks fit.

The person issuing writs under this section shall have the like powers as are possessed at the union by the officers charged with the issuing of writs for the election of members to serve in the respective house of assembly or legislative assembly of the Province of Canada, Nova Scotia, or New Brunswick; and the returning officer to whom writs are directed

under this section shall have the like powers as are possessed at the union by the officers charged with the returning of writs for the election of members to serve in the same respective house of assembly or legislative assembly.

43. In case a vacancy in the representation in the House of Commons of any electoral district happens before the meeting of the Parliament, or after the meeting of the Parliament before provision is made by the Parliament in this behalf, the provisions of the last foregoing section of this act shall extend and apply to the issuing and returning of a writ in respect of such vacant district.

44. The House of Commons, on its first assembling after a general election shall proceed with all practical speed to elect one of its members to be speaker.

45. In case of a vacancy happening in the office of speaker by death, resignation, or otherwise, the House of Commons shall with all practicable speed proceed to elect another of its members to be speaker.

46. The speaker shall preside at all meetings of the house of commons.

47. Until the Parliament of Canada otherwise provides, in case of the absence for any reason of the speaker from the chair of the house of commons for a period of forty-eight consecutive hours, the house may elect another of its members to act as speaker and the member so elected shall, during the continuance of such absence of the speaker have and execute all the powers, privileges, and duties of speaker.

48. The presence of at least twenty members of the House of Commons shall be necessary to constitute a meeting of the house for the exercise of its powers; and for that purpose the speaker shall be reckoned as a member.

49. Questions arising in the house of commons shall be decided by a majority of voices other than that of the speaker; and when the voices are equal, the speaker shall have a vote.

50. Every house of commons shall continue for five years from the day of the return of the writs for choosing the house (subject to be sooner dissolved by the governor-general), and no longer.

51. On the completion of the census in the year one thousand eight hundred and seventy-one, and of each subsequent decennial census, the representation of the Provinces shall be readjusted by such authority, in such manner, and from such time, as the Parliament of Canada from time to time provides, subject and according to the following rules:

(1.) Quebec shall have the fixed number of sixty-five members:

(2.) There shall be assigned to each of the other Provinces such a number of members as shall bear the same proportion to the number of its population (ascertained at such census) as the number of sixty-five bears to the number of the population of Quebec (so ascertained).

(3.) In the computation of the number of members for a Province a fractional part not exceeding one-half of the whole number requisite for entitling the Province to a member shall be disregarded; but a fractional part exceeding one-half of that number shall be equivalent to the whole number.

(4.) On any such readjustment the number of members for a Province shall not be reduced unless the proportion which the number of the population of the Province bore to the number of the aggregate population of Canada at the then last preceding readjustment of the number of members for the Province is ascertained at the then latest census to be diminished by one twentieth part or upward;

(5.) Such readjustment shall not take effect until after the termination of the then existing Parliament.

52. The number of members of the house of com-



mons may be from time to time increased by the Parliament of Canada, provided the proportionate representation of the Provinces prescribed by this act is not thereby disturbed.

#### MONEY VOTES—ROYAL ASSENT.

53. Bills for appropriating any part of the public revenue, or for imposing any tax or impost, shall originate in the house of commons.

54. It shall not be lawful for the house of commons to adopt or pass any vote, resolution, address, or bill for the appropriation of any part of the public revenue, or of any tax or impost, to any purpose that has not first been recommended to that house by message of the governor-general in the session in which such vote, resolution, address, or bill is proposed.

55. Where a bill passed by the houses of Parliament, is presented to the governor-general for the Queen's assent, he shall declare according to his discretion, but subject to the provisions of this act and her majesty's instructions, either that he assents thereto in the Queen's name, or that he withholds the Queen's assent, or that he reserves the bill for the signification of the Queen's pleasure.

56. Where the governor-general assents to a bill in the Queen's name, he shall by the first convenient opportunity send an authentic copy of the act to one of her majesty's principal secretaries of state, and if the Queen in council within two years after receipt thereof by the secretary of state thinks fit to disallow the act, such disallowance (with a certificate of the secretary of state, of the day on which the act was received by him), being signified by the governor-general, by speech or message to each of the houses of the Parliament, or by proclamation, shall annul the act from and after the day of such signification.

57. A bill reserved for the signification of the Queen's pleasure shall not have any force unless and until within two years from the day on which it was presented to the governor-general for the Queen's assent, the governor-general signifies, by speech or message to each of the houses of Parliament, or by proclamation, that it has received the assent of the Queen in council.

An entry of every such speech, message, or proclamation shall be made in the journal of each house, and a duplicate thereof duly attested shall be delivered to the proper officer, to be kept among the records of Canada.

#### V.—PROVINCIAL CONSTITUTIONS.

##### *Executive Power.*

58. For each Province there shall be an officer, styled the Lieutenant-Governor, appointed by the governor-general in council, by instrument under the great seal of Canada.

59. A lieutenant-governor shall hold office during the pleasure of the governor-general; but any lieutenant-governor appointed after the commencement of the first session of the Parliament of Canada, shall not be removable within five years from his appointment, except for cause assigned, which shall be communicated to him in writing, within one month after the order for his removal is made, and shall be communicated by message to the senate and to the house of commons within one week thereafter if Parliament is then sitting, and if not then within one week after the commencement of the next session of the Parliament.

60. The salaries of the lieutenant-governors shall be fixed and provided by the Parliament of Canada.

61. Every lieutenant-governor shall, before assuming the duties of his office, make and subscribe before the governor-general or some person authorized by him oaths of allegiance and office similar to those taken by the governor-general.

62. The provisions of this act referring to the lieutenant-governor, extend and apply to the lieutenant-governor for the time being of each Province or other

the chief executive officer or administrator for the time being carrying on the government of the Province, by whatever title he is designated.

63. The executive councils of Ontario and Quebec shall be composed of such persons as the lieutenant-governor from time to time thinks fit, and in the first instance of the following officers: namely, the attorney-general, the secretary and register of the Province, the treasurer of the province, the commissioner of crown lands, and the commissioner of agriculture and public works, within Quebec, the speaker of the legislative council, and the solicitor-general.

64. The constitution of the executive authority in each of the Provinces of Nova Scotia and New Brunswick shall, subject to the provisions of this act, continue as it exists at the union until altered under the authority of this act.

65. All powers, authorities, and functions, which under any act of the Parliament of Great Britain, or of the Parliament of the United Kingdom of Great Britain and Ireland, or of the Legislature of Upper Canada, Lower Canada, or Canada, were or are before or at the union vested in or exercisable by the respective governors or lieutenant-governors of those Provinces, with the advice, or with the advice and consent of the respective executive councils thereof, or in conjunction with those councils, or with any number of the members thereof, or by those governors or lieutenant-governors individually, shall, as far as the same are capable of being exercised after the union in relation to the government of Ontario and Quebec respectively, be vested in and shall or may be exercised by the lieutenant-governor of Ontario and Quebec respectively, with the advice, or with the advice and consent of or in conjunction with the respective executive council, or any members thereof, or by the lieutenant-governor of individually, as the case requires, subject nevertheless (except with respect to such as exists under acts of the Parliament of Great Britain, or of the Parliament of the United Kingdom of Great Britain and Ireland) to be abolished or altered by the respective legislatures of Ontario and Quebec.

66. The provisions of this act referring to the lieutenant-governor in council shall be construed as referring to the lieutenant-governor of the Province acting by and with the advice of the executive council thereof.

67. The governor-general in council may from time to time appoint an administrator to execute the office and functions of lieutenant-governor during his absence, illness, or other inability.

68. Unless and until the executive government of any Province otherwise directs with respect to that Province, the seats of government of the Provinces shall be as follows: namely, of Ontario, the city of Toronto; of Quebec, the city of Quebec; of Nova Scotia, the city of Halifax; and of New Brunswick, the city of Fredericton.

#### LEGISLATIVE POWERS.

69. 1. *Ontario.*—There shall be a legislature for Ontario, consisting of the lieutenant-governor and of one house, styled the Legislative Assembly of Ontario.

70. The legislative assembly of Ontario shall be composed of eighty-two members, to be elected to represent the eighty-two electoral districts in Ontario, set forth in the first schedule of this act.

71. 2. *Quebec.*—There shall be a legislature for Quebec consisting of the lieutenant-governor and of two houses, styled the Legislative Council of Quebec and the Legislative Assembly of Quebec.

72. The legislative council of Quebec shall be composed of twenty-four members, to be appointed by the lieutenant-governor under the Queen's name, by instrument under the great seal of Quebec, one being appointed to represent each of the twenty-four electoral divisions of Lower Canada in this act referred to, and each holding office for the term of his life,



unless the legislature of Quebec otherwise provides under the provisions of this act.

73. The qualifications of a legislative councillor of Quebec shall be the same as those of the senators for Quebec.

74. The place of a legislative councillor of Quebec shall become vacant in the cases, *mutatis mutandis*, in which the place of senator becomes vacant.

75. When a vacancy happens in the legislative council of Quebec by resignation, death, or otherwise, the lieutenant-governor, in the Queen's name, by an instrument under the great seal of Quebec, shall appoint a fit and qualified person to fill the vacancy.

76. If any question arises respecting the qualification of a legislative councillor of Quebec, or a vacancy in the legislative council of Quebec, the same shall be heard and determined by the legislative council.

77. The lieutenant-governor may, from time to time, by instrument under the great seal of Quebec, appoint a member of the legislative council of Quebec to be speaker thereof, and may remove him and appoint another in his stead.

78. Until the legislature of Quebec otherwise provides, the presence of at least ten members of the legislative council, including the speaker, shall be necessary to constitute a meeting for the exercise of its powers.

79. Questions arising in the legislative council of Quebec shall be decided by a majority of voices, and the speaker shall in all cases have a vote, and when the voices are equal the decision shall be deemed to be in the negative.

80. The legislative assembly of Quebec shall be composed of sixty-five members to be elected to represent the sixty-five electoral divisions or districts of Lower Canada in this act referred to, subject to alteration thereof by the legislature of Quebec: provided that it shall not be lawful to present to the lieutenant-governor of Quebec for assent any bill for altering the limits of any of the electoral divisions or districts mentioned in the second schedule to this act, unless the second and third readings of such bill have been passed in the legislative assembly with the concurrence of the majority of the members representing all those electoral divisions or districts, and the assent shall not be given to such bill unless an address has been presented by the legislative assembly to the lieutenant-governor stating that it has been so passed.

81. 3. *Ontario and Quebec.*—The legislatures of Ontario and Quebec respectively shall be called together not later than six months after the union.

82. The lieutenant-governor of Ontario and Quebec shall, from time to time, in the Queen's name, by instrument under the great seal of the Province, summon and call together the legislative assembly of the Province.

83. Until the legislature of Ontario or of Quebec otherwise provides, a person accepting or holding in Ontario or Quebec any office, commission, or employment, permanent or temporary, at the nomination of the lieutenant-governor, to which an annual salary or any fee, allowance, emolument, or profit of any kind or amount whatever from the Province is attached, shall not be eligible as a member of the legislative assembly of the respective Province, nor shall he sit or vote as such; but nothing in this section shall make ineligible any person being a member of the executive council of the respective Province, or holding any of the following offices: that is to say, the offices of attorney-general, secretary and register of the Province, treasurer of the Province, commissioner of crown lands, and commissioner of agriculture and public works, and in Quebec, solicitor-general, or shall disqualify him to sit or vote in the house for which he is elected, provided he is elected while holding such office.

84. Until the legislatures of Ontario and Quebec respectively otherwise provide, all laws which at the union are in force in those Provinces respectively,

relative to the following matters, or any of them, namely, the qualifications and disqualifications of persons to be elected, or to sit or vote as members of the assembly of Canada, the qualifications or disqualifications of voters, the oaths to be taken by voters, the returning officers, their powers and duties, the proceedings at elections, the periods during which such elections may be continued, and the trial of controverted elections, and the proceedings incident thereto, the vacating of the seats of members, and the issuing and execution of new writs in case of seats vacated otherwise than by dissolution, shall respectively apply to elections of members to serve in the respective legislative assemblies of Ontario and Quebec.

Provided, That until the legislature of Ontario otherwise provides, at any election for a member of the legislative assembly of Ontario for the district of Algoma in addition to persons qualified by the law of the Province of Canada to vote, every British subject, aged twenty-one years or upward, being a householder, shall have a vote.

85. Every legislative assembly of Ontario and every legislative assembly of Quebec shall continue for four years from the day of the return of the writs for choosing the same (subject nevertheless to either the legislative assembly of Ontario or the legislative assembly of Quebec being sooner dissolved by the lieutenant-governor of the province), and no longer.

86. There shall be a session of the legislature of Ontario and that of Quebec once at least in every year, so that twelve months shall not intervene between the last sitting of the legislature in each Province in one session and its first sitting in the next session.

87. The following provisions of this act respecting the house of commons of Canada shall extend and apply to the legislative assemblies of Ontario and Quebec, that is to say, the provisions relating to the election of a speaker originally and on vacancies, the duties of the speaker, the absence of the speaker, the quorum, and the mode of voting, as if those provisions were here reënacted and made applicable in terms to each such legislative assembly.

88. 4. *Nova Scotia and New Brunswick.*—The constitution of the legislature of each of the Provinces of Nova Scotia and New Brunswick shall, subject to the provisions of this act, continue as it exists at the union, until altered under the authority of this act, and the house of assembly of New Brunswick existing at the passing of this act shall, unless sooner dissolved, continue for the period for which it was elected.

89. 5. *Ontario, Quebec, and Nova Scotia.*—Each of the lieutenant-governors of Ontario, Quebec, and Nova Scotia shall cause writs to be issued for the first election of members of the legislative assembly thereof in such form and by such person as he thinks fit, and at such time and addressed to such returning officer as the governor-general directs, and so that the first election of member of assembly for any electoral district or any subdivision thereof shall be held at the same time and at the same places as the election for a member to serve in the house of commons of Canada for that electoral district.

90. 6. *The Four Provinces.*—The following provisions of this act respecting the Parliament of Canada, namely, the provisions relating to appropriation and tax bills, the recommendation of money votes, the assent to bills, the disallowance of acts, and the signification of pleasure on bills reserved, shall extend and apply to the legislatures of the several Provinces as if those provisions were reënacted and made applicable in terms to the respective Provinces and the legislatures thereof, with the substitution of the lieutenant-governor of the Province for the governor-general, of the governor-general for the Queen, and for a secretary of state, of one year, for two years, and of the Province for Canada.



## VI.—DISTRIBUTION OF LEGISLATIVE POWERS.

## POWERS OF THE PARLIAMENT.

91. It shall be lawful for the Queen, by and with the advice and consent of the senate and house of commons, to make laws for the peace, order, and good government of Canada, in relation to all matters not coming within the classes of subjects by this act assigned exclusively to the legislatures of the Provinces; and for greater certainty, but not so as to restrict the generality of the foregoing terms of this section, it is hereby declared that (notwithstanding anything in this act) the exclusive legislative authority of the Parliament of Canada extends to all matters coming within the classes of subjects next hereinafter enumerated, that is to say:

1. The public debt and property.
2. The regulation of trade and commerce.
3. The raising of money by any mode or system of taxation.
4. The borrowing of money on the public credit.
5. Postal service.
6. The census and statistics.
7. Militia, military, and naval services and defence.
8. The fixing of and providing for the salaries and allowances of civil and other officers of the government of Canada.
9. Beacons, buoys, light-houses, and Sable Island.
10. Navigation and shipping.
11. Quarantine and the establishment and maintenance of marine hospitals.
12. Sea-coast and inland fisheries.
13. Ferries between a Province and any British or foreign country, or between two Provinces.
14. Currency and coinage.
15. Banking—incorporation of banks and the issue of paper money.
16. Savings banks.
17. Weights and measures.
18. Bills of exchange and promissory notes.
19. Interest.
20. Legal tender.
21. Bankruptcy and insolvency.
22. Patents and invention and discovery.
23. Copyrights.
24. Indians and lands reserved for the Indians.
25. Naturalization and aliens.
26. Marriage and divorce.
27. The criminal law, except the constitution of courts of criminal jurisdiction, but including the procedure in criminal matters.
28. The establishment, maintenance, and management of penitentiaries.
29. Such classes of subjects as are expressly excepted in the enumeration of the classes of subjects by this act assigned exclusively to legislatures of the Provinces.

And any matter coming within any of the classes of subjects enumerated in this section shall not be deemed to come within the class of matters of a local or private nature comprised in the enumeration of the classes of subjects by this act assigned exclusively to the legislatures of the Provinces.

## EXCLUSIVE POWERS OF PROVINCIAL LEGISLATURES.

92. In each Province the legislature may exclusively make laws in relation to matters coming within the classes of subjects next hereinafter enumerated, that is to say:

- (1.) The amendment from time to time, notwithstanding anything in this act, of the Constitution of the Province, except as regards the office of lieutenant-governor.
- (2.) Direct taxation within the Province in order to the raising of a revenue for provincial purposes.
- (3.) The borrowing of money on the sole credit of the Province.

- (4.) The establishment and tenure of provincial offices, and the appointment and payment of provincial officers.
- (5.) The management and sale of the public lands belonging to the Province, and of the timber and wood thereon.
- (6.) The establishment, maintenance, and management of public and reformatory prisons in and for the Province.
- (7.) The establishment, maintenance, and management of hospitals, asylums, charities, and eleemosynary institutions in and for the Province (other than marine hospitals).
- (8.) Municipal institutions in the Province.
- (9.) Shop, saloon, tavern, auctioneer, and other licenses in order to the raising of a revenue for provincial, local, or municipal purposes.
- (10.) Local works and undertakings other than such as are of the following classes:
  - a. Lines of steam or other ships, railways, canals, telegraphs, and other works and undertakings connecting the Province with any or others of the Provinces, or extending beyond the limits of the Province.
  - b. Lines of steamships between the Province and any British or foreign country.
  - c. Such works as, although wholly situate within the Province, or before or after their execution declared by the Parliament of Canada to be for the general advantage of Canada or for the advantage of two or more of the Provinces.
- (11.) The incorporation of companies with Provincial objects.
- (12.) The solemnization of marriage in the Province.
- (13.) Property and civil rights in the Province.
- (14.) The administration of justice in the Province, including the constitution, maintenance and organization of Provincial courts, both of civil and criminal jurisdiction, and including procedure in civil matters in those courts.
- (15.) The imposition of punishment by fine, penalty, or imprisonment for enforcing any law of the Province made in relation to any matter coming within any of the classes of subjects enumerated in this section.
- (16.) Generally all matters of a merely local or private nature in the Province.

## EDUCATION.

(93.) In and for each Province the legislature may make laws in relation to education, subject and according to the following provisions:

- (1.) Nothing in any such law shall prejudicially affect any right or privilege with respect to denominational schools which any class of persons have by law in the Province at the union.
- (2.) All the powers, privileges, and duties by law conferred and imposed in Upper Canada on the separate schools and school trustees of the Queen's Roman Catholic subjects shall be and the same are hereby extended to the dissentient schools of the Queen's Protestant and Roman Catholic subjects in Quebec.
- (3.) Where in any Province a system of separate or dissentient schools exists by law at the union, or is thereafter established by the legislature of the Province, an appeal shall lie to the governor-general in council from any act or decision of any Provincial authority affecting any right or privilege of the Protestant or Roman Catholic minority of the Queen's subjects in relation to education.
- (4.) In case any such Provincial law as from time to time seems to the governor-general in council requisite for the due execution of the provisions of this section is not made, or in



any case any decision of the governor-general in council on any appeal under this section is not duly executed by the proper Provincial authority in that behalf, then and in every such case, and as far only as the circumstances of each case require, the Parliament of Canada may make remedial laws for the due execution of the provisions of this section and of any decision of the governor-general in council under this section.

#### UNIFORMITY OF LAWS IN ONTARIO, NOVA SCOTIA, AND NEW BRUNSWICK.

94. Notwithstanding any thing in this act, the Parliament of Canada may make provision for the uniformity of all or any of the laws relative to property and civil rights in Ontario, Nova Scotia, and New Brunswick, and of the procedure of all or any of the courts in those three Provinces, and from and after the passing of any act in that behalf the power of the Parliament of Canada to make laws in relation to any matter comprised in any such act shall, notwithstanding any thing in this act, be unrestricted; but any act of the Parliament of Canada making provision for such uniformity shall not have effect in any Province unless and until it is adopted and enacted as law by the legislature thereof.

#### AGRICULTURE AND IMMIGRATION.

95. In each Province the legislature may make laws in relation to agriculture in the Province, and to immigration into the Province; and it is hereby declared that the Parliament of Canada may, from time to time, make laws in relation to agriculture in all or any of the Provinces, and to immigration into all or any of the Provinces; and any law of the legislature of a Province relative to agriculture or to immigration shall have effect in and for the Province as long and as far only as it is not repugnant to any act of Parliament of Canada.

#### VII.—JUDICATURE.

96. The governor-general shall appoint the judges of the Superior, District, and County Courts in each Province, except those of the Courts of Probate in Nova Scotia and New Brunswick.

97. Until the laws relative to property and civil rights in Ontario, Nova Scotia, and New Brunswick, and the procedure of the courts in those Provinces are made uniform, the judges of the courts of those Provinces appointed by the governor-general shall be selected from the respective bars of those Provinces.

98. The judges of the courts of Quebec shall be selected from the bar of that Province.

99. The judges of the Superior Courts shall hold office during good behavior; but shall be removable by the governor-general on address of the senate and house of commons.

100. The salaries, allowances, and pensions of the judges of the Superior, District, and County Courts (except the Courts of Probate in Nova Scotia and New Brunswick), and of the Admiralty Courts in cases where the judges thereof are for the time being paid by salary, shall be fixed and provided by the Parliament of Canada.

101. The Parliament of Canada may, notwithstanding any thing in this act, from time to time provide for the constitution, maintenance, and organization of a general court of appeal for Canada, and for the establishment of any additional courts for the better administration of the laws of Canada.

#### VIII.—REVENUES—DEBTS—ASSETS—TAXATION.

102. All duties and revenues over which the respective legislatures of Canada, Nova Scotia, and New Brunswick before and at the union had, and have power of appropriation, except such portions thereof as are by this act reserved to the respective legislatures of the Provinces, or are raised by them in accordance with the special powers conferred upon

them by this act, shall form one consolidated revenue fund, to be appropriated for the public service of Canada, in the manner, and subject to the charges in this act provided.

103. The consolidated revenue fund of Canada shall be permanently charged with the costs, charges and expenses incident to the collection, management, and receipt thereof, and the same shall form the first charge thereon, subject to be reviewed and audited in such manner as shall be ordered by the governor-general in council until the Parliament otherwise provides.

104. The annual interest of the public debts of the several Provinces of Canada, Nova Scotia, and New Brunswick at the union shall form the second charge on the consolidated revenue fund of Canada.

105. Unless altered by the Parliament of Canada, the salary of the governor-general shall be ten thousand pounds sterling money of the United Kingdom of Great Britain and Ireland, payable out of the consolidated revenue fund of Canada, and the same shall form the third charge thereon.

106. Subject to the several payments by this act charged on the consolidated revenue fund of Canada, the same shall be appropriated by the Parliament of Canada for the public service.

107. All stocks, cash, bankers' balances and securities for money belonging to each Province at the time of the union, except as in this act mentioned, shall be the property of Canada, and shall be taken in reduction of the amount of the respective debts of the Provinces at the union.

108. The public works and property of each Province, enumerated in the third schedule to this act, shall be the property of Canada.

109. All lands, mines, minerals, and royalties belonging to the several Provinces of Canada, Nova Scotia and New Brunswick at the union, and all sums then due or payable for such lands, mines, minerals, or royalties, shall belong to the several Provinces of Ontario, Quebec, Nova Scotia, and New Brunswick, in which the same are situate or arise, subject to any trusts existing in respect thereof, and to any interest other than that of the Province in the same.

110. All assets connected with such portions of the public debt of each Province as are assumed by that Province, shall belong to that Province.

111. Canada shall be liable for the debts and liabilities of each Province existing at the Union.

112. Ontario and Quebec, conjointly, shall be liable to Canada for the amount (if any) by which the debt of the Province of Canada exceeds, at the Union, \$62,500,000, and shall be charged with interest at the rate of five per centum per annum thereon.

113. The assets enumerated in the fourth schedule to this act, belonging at the union to the Province of Canada, shall be the property of Ontario and Quebec conjointly.

114. Nova Scotia shall be liable to Canada for the amount (if any) by which its public debt exceeds at the union \$8,000,000, and it shall be charged with interest at the rate of five per centum per annum thereon.

115. New Brunswick shall be liable to Canada for the amount (if any) by which its public debt exceeds at the union \$7,000,000, and shall be charged with interest at the rate of five per centum per annum thereon.

116. In case the public debts of Nova Scotia and New Brunswick do not at the union amount to \$8,000,000 and \$7,000,000 respectively, they shall respectively receive by half-yearly payments in advance from the government of Canada, interest at five per centum per annum on the difference between the actual amounts of their respective debts and such stipulated amounts.

117. The several Provinces shall retain all their respective public property not otherwise disposed of



in this act, subject to the right of Canada to assume any lands or public property required for fortifications or for the defence of the country.

118. The following sums shall be paid yearly by Canada to the several Provinces for the support of their governments and legislatures :

Ontario.....	\$80,000
Quebec.....	70,000
Nova Scotia.....	60,000
New Brunswick.....	50,000
	<hr/> \$260,000

and an annual grant in aid of each Province shall be made, equal to eighty cents per head of the population, as ascertained by the census of one thousand eight hundred and sixty-one, and in the case of Nova Scotia and New Brunswick, by each subsequent decennial census until the population of each of those two Provinces amounts to four hundred thousand souls, at which rate such grant shall hereafter remain. Such grants shall be in full settlement of all future demands on Canada, and shall be paid half-yearly in advance to each Province; but the Government of Canada shall deduct from such grants, as against any Province, all sums chargeable as interest on the public debt of that Province in excess of the several amounts stipulated in this act.

119. New Brunswick shall receive by half-yearly payments, in advance, from Canada for the period of ten years from the union, an additional allowance of sixty-three thousand dollars per annum. But so long as the public debt of that Province remains under seven millions of dollars, a deduction equal to the interest at five per centum per annum on such deficiency shall be made from the said sum of sixty-three thousand dollars.

120. All payments to be made under this act, or in discharge of liabilities created under any act of the Provinces of Canada, Nova Scotia, and New Brunswick respectively, and assumed by Canada, shall, until the Parliament of Canada otherwise directs, be made in such form and manner as may from time to time be ordered by the governor-general in council.

121. All articles of the growth, produce or manufacture of any one of the Provinces shall, from and after the union, be admitted free into each of the other Provinces.

122. The customs and excise laws of each Province shall, subject to the provisions of this act, continue in force until altered by the Parliament of Canada.

123. Where custom duties are, at the union, leviable on any goods, wares, or merchandises in any two provinces, those goods, wares, and merchandises may, from and after the union, be imported from one of those Provinces into the other of them on proof of payment of the customs duty leviable thereon in the Province of exportation, and on payment of such further amount (if any) of customs duty as is leviable thereon in the Province of importation.

124. Nothing in this act shall affect the right of New Brunswick to levy the lumber dues provided in chapter fifteen of title three of the revised statutes of New Brunswick, or in any act amending that act before or after the union, and not increasing the amount of such dues; but the lumber of any of the Provinces, other than New Brunswick, shall not be subject to such dues.

125. No lands or property belonging to Canada or any Province thereof, shall be liable to taxation.

126. Such portions of the dues and revenues over which the respective legislatures of Canada, Nova Scotia, and New Brunswick had before the union power of appropriation as are by this act reserved to the respective governments or legislatures of the Provinces, and all duties and revenues raised by them in accordance with the special powers conferred upon them by this act, shall in each Province

form one consolidated revenue fund, to be appropriated for the public service of the Province.

#### IX.—MISCELLANEOUS PROVISIONS.

##### GENERAL.

127. If any person, at the passing of this act a member of the council of Canada, Nova Scotia, or New Brunswick, to whom a place in the senate is offered, does not within thirty days thereafter, by writing under his hand, addressed to the governor-general of the Province of Canada, or to the lieutenant-Governor of Nova Scotia or New Brunswick (as the case may be), accept the same, he shall be deemed to have declined the same; and any person who, being, at the passing of this act, a member of the legislative council of Nova Scotia or New Brunswick, accepts a place in the senate shall thereby vacate his seat in such legislative council.

128. Every member of the senate or house of commons of Canada shall, before taking his seat therein, take and subscribe before the governor-general, or some person authorized by him, and every member of a legislative council or legislative assembly of any province, shall, before taking his seat therein, take and subscribe before the lieutenant-governor of the Province, or some person authorized by him, the oath of allegiance contained in the fifth schedule to this act, and every member of the senate of Canada, and every member of the legislative council of Quebec, shall also, before taking his seat therein, take and subscribe before the governor-general, or some person authorized by him, the declaration of qualification contained in the same schedule.

129. Except as otherwise provided by this act, all laws in force in Canada, Nova Scotia, or New Brunswick at the union, and all courts of civil and criminal jurisdiction, and all legal commissions, powers, and authorities, and all officers, judicial, administrative, and ministerial, existing therein at the union, shall continue in Ontario, Quebec, Nova Scotia and New Brunswick respectively, as if the union had not been made, (except with respect to such as are enacted by or exist under acts of the Parliament of Great Britain or of the Parliament of the United Kingdom of Great Britain and Ireland,) to be repealed, abolished, or altered by the Parliament of Canada, or by the legislature of the respective Provinces, according to the authority of the Parliament or of that legislature under this act.

130. Until the Parliament of Canada otherwise provides, all officers of the several provinces having duties to discharge in relation to matters other than those coming within the clauses of subjects by this act assigned exclusively to the legislatures of the Provinces shall be officers of Canada, and shall continue to discharge the duties of their respective offices under the same liabilities, responsibilities, and penalties as if the union had not been made.

131. Until the Parliament of Canada otherwise provides, the governor-general in council may from time to time appoint such officers as the governor-general in council deems necessary or proper for the effectual execution of this act.

132. The Parliament and Government of Canada shall have all powers necessary or proper for performing the obligations of Canada or of any Province thereof, as part of the British empire towards foreign countries, arising under treaties between the empire and such foreign countries.

133. Either the English or the French language may be used by any person in the debates of the houses of Parliament of Canada and of the houses of the legislature of Quebec, and both these languages shall be used in the respective records and journals of both houses; and either of those languages may be used by any person or in any pleading or process in or issuing from any court of Canada, established



under this act, and in or from all or any of the courts of Quebec.

The acts of Parliament of Canada and of the legislature of Quebec shall be printed and published in both those languages.

134. Until the legislature of Ontario or of Quebec otherwise provides, the lieutenant-governor of Ontario and Quebec may each appoint under the great seal of the Province the following officers, to hold office during pleasure, that is to say: the attorney-general, the secretary and registrar of the Province, the treasurer of the Province, the commissioner of crown-lands, and the commissioner of agriculture and public works, and in the case of Quebec the solicitor-general; and may, by order of the lieutenant-governor in council from time to time prescribe the duties of those officers and of the several departments over which they shall preside, or to which they shall belong, and of the officers and clerks thereof; and may also appoint other and additional officers to hold office during pleasure, and may from time to time prescribe the duties of these officers, and of the several departments over which they shall preside, or to which they shall belong, and of the officers and clerks thereof.

135. Until the legislature of Ontario or Quebec otherwise provides, all rights, powers, duties, functions, responsibilities, or authorities at the passing of this act vested in or imposed on the attorney-general, secretary and registrar of the Province of Canada, minister of finance, commissioner of crown-lands, commissioner of public works, and minister of agriculture, and receiver general, by any law, statute, or ordinance of Upper Canada, Lower Canada or Canada, and not repugnant to this act, shall be vested in or imposed on any officer to be appointed by the lieutenant-governor for the discharge of the same or any of them; and the commissioners of agriculture and public works shall perform the duties and functions of the office of minister of agriculture at the passing of this act imposed by the law of the Province of Canada, as well as those of the commissioner of public works.

136. Until altered by the lieutenant-governor in council, the great seals of Ontario and Quebec respectively shall be the same, or of the same design, as those used in the Provinces of Upper Canada and Lower Canada respectively before their union as the Province of Canada.

137. The words "and from thence to the end of the then next ensuing session of the legislature," or words to the same effect, used in any temporary act of the Province of Canada not expired before the union, shall be construed to extend and apply to the next session of the Parliament of Canada, if the subject matter of the act is within the powers of the same as defined by this act, or to the next sessions of the legislatures of Ontario and Quebec respectively, if the subject matter of the act is within the powers of the same as defined by this act.

138. From and after the union, the use of the words "Upper Canada" instead of "Ontario," or "Lower Canada" instead of "Quebec," in any deed, writ, process, pleading matter, document, matter or thing, shall not invalidate the same.

139. Any proclamation under the great seal of the Province of Canada issued before the union to take effect at a time which is subsequent to the union, whether relating to that Province or to Upper Canada, or to Lower Canada, and the several matters and things therein proclaimed, shall be, and continue of like force and effect as if the union had not been made.

140. Any proclamation which is authorized by any act of the legislature of the Province of Canada to be issued under the great seal of the Province of Canada, whether relating to that Province, or to Upper Canada, or to Lower Canada, and which is not issued before the union, may be issued by the lieutenant-governor of Ontario or Quebec, as its sub-

ject matter requires, under the great seal thereof, and from and after the issue of such proclamation the same and the several matters and things therein proclaimed shall be, and continue of the like force and effect in Ontario or Quebec, as if the union had not been made.

141. The penitentiary of the Province of Canada shall, until the Parliament of Canada otherwise provides, be and continue the penitentiary of Ontario and of Quebec.

142. The division and adjustment of the debts, credits, liabilities, properties and assets of Upper Canada and Lower Canada, shall be referred to the arbitrament of three arbitrators, one chosen by the government of Ontario, one by the government of Quebec, and one by the government of Canada; and the selection of the arbitrators shall not be made until the Parliament of Canada and the legislatures of Ontario and Quebec have met, and the arbitrator chosen by the government of Canada shall not be a resident either in Ontario or Quebec.

143. The governor-general in council may from time to time order that such and so many of the records, books and documents of the Province of Canada as he thinks fit shall be appropriated and delivered either to Ontario or to Quebec, and the same shall thenceforth be the property of that Province; and any copy thereof, or extract therefrom, duly certified by the officer having charge of the original thereof, shall be admitted as evidence.

144. The lieutenant-governor of Quebec may from time to time, by proclamation under the great seal of the Province, to take effect from a day to be appointed therein, constitute townships in those parts of the Province of Quebec in which townships are not then already constituted, and fix the metes and bounds thereof.

#### X. INTERCOLONIAL RAILWAY.

145. Inasmuch as the Provinces of Canada, Nova Scotia and New Brunswick have joined in a declaration that the construction of the intercolonial railway is essential to the consolidation of the union of British North America, and to the assent thereto of Nova Scotia and New Brunswick, and have consequently agreed that provision should be made for its immediate construction by the government of Canada; therefore, in order to give effect to that agreement, it shall be the duty of the government and Parliament of Canada to provide for the commencement, within six months after the union, of a railway connecting the river St. Lawrence with the city of Halifax in Nova Scotia, and for the construction thereof without intermission, and the completion thereof with all practicable speed.

#### XI. ADMISSION OF OTHER COLONIES.

146. It shall be lawful for the Queen, by and with the advice of her majesty's most honorable privy council, on addresses from the houses of the Parliament of Canada, and from the houses of the respective legislatures of the Colonies or Provinces of Newfoundland, Prince Edward Island, and British Columbia, to admit those Colonies or Provinces, or any of them, into the union, and on address from the houses of the Parliament of Canada, to admit Rupert's Land and the Northwestern Territory, or either of them into the union, on such terms and conditions in each case as are in the addresses expressed and as the Queen thinks fit to approve, subject to the provisions of this act; and the provisions of any order in council in that behalf shall have effect as if they had been enacted by the Parliament of the United Kingdom of Great Britain and Ireland.

147. In case of the admission of Newfoundland and Prince Edward Island, or either of them, each shall be entitled to a representation in the senate of



Canada of four members, and (notwithstanding anything in this act) in case of the admission of Newfoundland the normal number of senators shall be seventy-six, and their maximum number shall be eighty-two; but Prince Edward Island when admitted shall be deemed to be compromised in the third of the three divisions into which Canada is, in relation to the Constitution of the Senate, divided by this act, and accordingly, after the admission of

Prince Edward Island, whether Newfoundland is admitted or not, the representation of Nova Scotia and New Brunswick in the senate shall, as vacancies occur, be reduced from twelve to ten members respectively, and the representation of each of those Provinces shall not be increased at any time beyond ten, except under the provisions of this act for the appointment of three or six additional senators under the direction of the Queen.

## R

**REED INSTRUMENTS (OF MUSIC).** The great improvements which have been made in reed instruments within a few years past, entitle them to a place in a record of the advance of mechanical science and art. The first application of the vibration of a free tongue of metal to the production of musical sounds is probably due to that very unmusical people, the Chinese. As might have been expected, there was not much concord or harmony in the sounds they produced. There is some doubt whether an instrument invented by Armiot in the last century, but which never came into use, was or was not a reed instrument. The Eolodicon, invented by Eschenberg, of Bohemia, about 1806, did produce musical sounds by the vibration of elastic tongues of metal, but it was a rude affair. The Accordion, invented about 1821, and claimed by both European and American inventors, followed this. It possessed some advantages, but more disadvantages in its use as an accompaniment to the voice, and has been used rather as a musical toy than as a musical instrument of much value. The Rocking Melodeon, introduced soon after, was at first but little more than a larger accordion, blown by the knees instead of the hands. The principle on which these early melodeons, of which there was a considerable variety in style, size, and form, were all constructed, was that of forcing the air *out* through the reeds, by means of the bellows, in order to produce the desired musical sounds. As the metallic tongues were not usually made with the most mathematical precision or perfection of finish, and as they were, moreover, very often clogged or obstructed by particles of dust or other slight difficulties, which impeded their free vibrations, there was almost necessarily a hesitancy and trouble in producing the desired note with the requisite promptness; the instrument did not "speak" so readily as the performer wished, and not unfrequently on some notes could not be made to "speak" at all. Several manufacturers in New England and New York had, however, as early as 1840, adopted some improvements which rendered their instruments preferable to those hitherto made, and rendered them a tolerable accompaniment for church music, though not a very desirable one. The most important of these improvements was that by which the reeds were each fastened to, and vibrated in a small square metallic pipe, which was inserted through

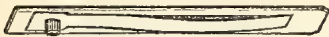
the top of the wind-chest, with the points of the reeds down; the rear ends of the keys resting on the open ends of these metallic pipes, and thus forming the valves.

The lap, or rocking melodeon, to which about this time (1840) slight legs were added, and a contrivance for working the bellows by the foot, was becoming popular for schools and small churches as a substitute for the stringed instruments which had hitherto been used as accompaniments for church music. It was as yet, however, very far from being perfect. A modification, which greatly improved the tone, was adopted by most of the manufacturers, though it cannot now be ascertained by whom it was first suggested. The reeds were riveted upon a piece of brass, swedged or bent so as to form three sides of a square, the edges of which were then inserted in grooves made for them upon the upper side of the wind-chest, directly over the valve mortice; and in order to bring the point of the reed to vibrate on the inside (the air being forced outward), the reeds were made to pass through their sockets to the under side, and this naturally took the form of a double curve, resembling somewhat the letter S. This curving of the reeds improved the tone, but it rather increased than diminished the promptness of the vibrations, where, as was yet the case with all reed instruments, the air was forced outward. In 1846 Mr. Jeremiah Carhart, then of Buffalo, now and for some years of the manufacturing house of Carhart and Needham, secured a patent for a certain construction of bellows with other combinations, to operate the reeds by suction or drawing in, instead of forcing out, the air. This process, since known as the "exhaust plan," which had been previously though unsuccessfully attempted, was the first considerable step in improving reed instruments, and rendering them really valuable as accompaniments to the voice. It was only a first step, but it has been followed by numerous others which have made these instruments superior to the piano, and, for home music, to the parlor organ, in expression and feeling. Mr. Carhart's invention, as was justly claimed, gave to the instrument an improved quality of tone, greater durability, more simplicity of construction, increased promptness of utterance, a uniformity of tones, and equal distribution of power through the entire scale.



The melodeons made on this plan by Carhart, and soon afterward by Prince & Co., were, at first small, having only four octaves of reeds, and were uniform in size and in their extreme plainness of style. The melodeon of that day was only an ugly, oblong box, with a dependent bellows, a simple treddle like that of the old-fashioned small spinning-wheel, and four very small, rickety legs. After two or three years, they were increased in size and extended to four and a half and five octaves, with two sets of reeds. The form of the bellows was also changed, the exhauster being placed on the upper side of the reed-board instead of underneath the bellows. The result of this change was a decided improvement in the means for operating the bellows.

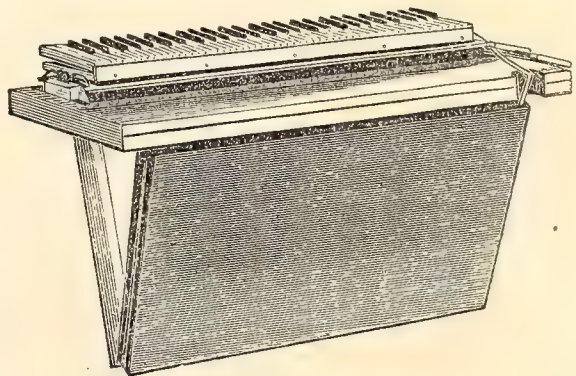
There was still, however, a difficulty in regard to the tones of the instrument. They lacked softness, and, though improved by curving the reeds, had still too much of the harsh and metallic sound. In 1849 Mr. Emmons Hamlin, now of the firm of Mason & Hamlin, but then with Prince & Co., made and patented the discovery that, by slightly twisting each already curved reed, or as it is now technically called, "voicing" the reed, this harshness of tone could be entirely obviated. The cut shows the appearance of the reed after "voicing."



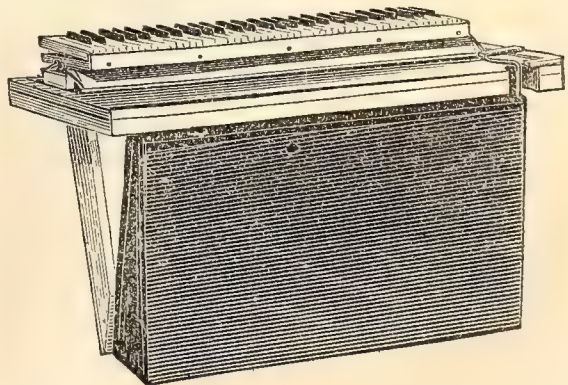
This great improvement increased the popularity of the instrument, and was adopted at once by all the best manufacturers. Another difficulty, however, in the use of the melodeon for any thing except church music, or the simpler tunes of secular music, was its want of scope. It was believed impossible, and probably was so, without material changes in its mode of construction, to extend it much beyond four and a half or five octaves, and two sets of reeds. A few instruments were manufactured having two manuals, or key-boards, but they were not popular. In 1855, Messrs. Mason & Hamlin, who had commenced the manufacture of melodeons the previous year, completed their first "*organ harmonium*," introducing for the first time four sets of reeds, and having two manuals of keys. The reeds extended from CCC in the "bourdon" to C'''' in Alt, or seven octaves. To this instrument were applied two blow-pedals, which gave to the performer a better control of it, and enabled him to produce effects not hitherto attained by any reed instrument in this country. Its fine, sonorous tones, and the increased power and variety of its stops, brought it at once into popular favor, and removed much of the prejudice hitherto entertained against reed instruments.

In 1861, after numerous experiments and modifications, the same firm offered to the public their "*school harmonium*," an instrument of great simplicity of construction, but retaining all the good features of the organ harmonium.

The same year they adopted the vertical, in the place of the horizontal position of the bellows, which gave the opportunity for a more elegant and tasteful form to the instrument, which thenceforward became as elegant an addition to the furniture of the parlor as it had been previously ungraceful and objectionable. The simpler construction, the vertical bellows, and the improved form, were at once applied to the organ harmonium, and greatly improved its appearance and power. To this remodelled instrument, the name of *cabinet organ* was given in 1862. Many of these improvements have since been adopted by other manufacturers, who have taken the name of organ with some other prefix, as Cottage, Gem, or Monitor, and have been enabled by the use of these improvements to manufacture melodeons of much better quality than they could make six or eight years since; but Messrs. Mason & Hamlin, who, by their enterprise, have become much the largest manufacturers of reed instruments in the United States, have been constantly adding other improvements, most of which are peculiar to their instruments. Of these the most important are the double-bellows, which greatly increases the power of the instrument, the improved *self-adjusting reed-valves*, the *automatic bellows swell*, a simple affair, but one of the most valuable additions made to the instrument; it is a simple hook attached to the bellows in such a way as to graduate the opening or closing of the swell automatically. Its action will be seen in the cuts.



Other improvements, introduced by them, are the sounding and tube boards, which increase



the resonance of the tones of the organ; Wood's



*octave coupler*, which nearly doubles the power of the instruments; *noiseless safety-valves*, to regulate the escape of wind and the pressure upon the wind-chest, and thus prevent the hissing sound so disagreeable in some reed instruments; and the *improved combination register*, to facilitate the drawing and closing the stops. These improvements, and the great care taken in its construction, have rendered the "Cabinet Organ" the best and most complete reed instrument yet produced, though the other instruments manufactured by the other large manufacturers are greatly superior to the best of the European instruments, all of which yet adhere to the old system of forcing the air outward. So rapid has been the advance in the improvement of the American reed instruments, that the poorest instrument of any respectable manufacturer at the present time is greatly superior to the best of ten years since. Stops, analogous to those in use in pipe organs, have been introduced into the higher grades of these instruments, and add materially to their beauty and variety of tone. One of these, the *Vox Humana* stop, applied to the Estey organ, is a somewhat complicated contrivance of fans driven by clock-work, to communicate at will a more tremulous motion to the vibrations of the reeds; and, but for its liability to frequent derangement, might prove a valuable adjunct to the instrument. The energy and genius which are devoted to the construction of these instruments, and the vigorous competition which is maintained, render it certain that every modification which will aid in perfecting them, and rendering them preferable to all others for the family, the school, or the smaller class of churches, will be tried, and if found desirable, adopted. The amount of annual production of reed instruments in the United States exceeds three millions of dollars.

REFORMED CHURCHES. I. *Reformed Dutch Church*.—This church reported, in 1866, the following statistics: One general synod; three particular synods (New York, Albany, and Chicago); thirty-two classes (or presbyteries); churches, 431; ministers, 407; candidates, 11; communicants, 55,917; received last year on confession, 3,120; by letter, 1,855; infants baptized, 3,307; adults, 607; children in Sabbath-schools, 44,414; contributions for benevolent uses, \$241,129.55; for congregational purposes, \$649,540.83; moneys for benevolent uses under control of the several boards—education, in addition to the income from invested funds, \$8,500; domestic missions, \$24,589.98; building fund, \$4,433.58; mission schools, \$1,157.14; foreign missions, \$55,783.75; publication, \$2,175.72. These amounts are apart from what was contributed to the widows' fund, ministers' fund, to the theological seminary at New Brunswick, and to Hope College. There are in connection with the church two colleges, one at New Brunswick, N. J., and the other at Holland, Michigan.

The General Synod of the church, which met

in the city of New York, on June 5th, received an interesting communication from Rev. S. R. Bowen, a missionary of the church at Yokohama, who sent a circular, addressed to Christians, in Europe, Asia, Africa, and the Pacific isles, as well as in the United States, asking the active coöperation of all Christians in the conversion of Japan. The young men of rank there, the missionary says, are being instructed in the English language by the missionaries, at the desire of the Government, and much good is accomplished in this way; but although the people are ready and anxious to learn of Christ, the old laws, which are exceedingly severe, are still in force, prohibiting the teaching of Christianity in the empire. A letter of Christian greeting was received from the Free Church of Scotland, and also one from the moderator of the General Assembly of that church.

The following resolutions were passed relative to a change of the official name of the church:

*Whereas*, It is alleged that many persons who would be glad to connect themselves with the Reformed Dutch Church, and would do so if not repelled by the word "Dutch" in the name of said Church; and

*Whereas*, In the opinion of many of our ministers and members, a change in our style and title that would obviate objections based upon this ground would decidedly promote the growth and interests of the denomination; therefore,

*Resolved*, That a committee, consisting of four ministers and three elders, be appointed to examine into the expediency and propriety of this change, and report at the next meeting of the General Synod.

It was resolved to hold the next meeting of the General Synod in the village of Geneva, New York, on the first Wednesday in June, 1867.

II. *German Reformed Church*.—The Triennial General Synod of the German Reformed Church in the United States, convened in Dayton, Ohio, on Wednesday evening, November 28th. Both the classes of the church in the Confederate States (Virginia and North Carolina), which by the war had been for some time cut off from the main body, were represented by delegates, and the unity of the church was thus fully restored. The following persons were elected officers: Rev. Dr. D. Zacharias, president; Rev. D. Winters and Dr. S. R. Fisher, vice-presidents. One of the most important subjects which engaged the attention of the synod was the relation with the Dutch Reformed Church. The delegate of the latter denomination, Rev. Dr. Chambers, made an address, in which he submitted an invitation to coöperate with his church in the work of foreign missions. The Western Synod (one of the two particular synods into which the German Reformed Church is divided) requested the General Synod to take measures to effect a closer union with the Dutch Church. The committee, to which the action of the Western Synod was referred, took a favorable view of the subject, and, after some discussion, the further consideration of it was deferred until the next triennial



session of the General Synod. The preceding General Synod had requested the general classes to take action on the omission of the word "German" in the official name of the church, a change which the General Synod deemed to be of vital importance to the interests of the church. It appears that a number of classes voted against the omission, under the impression that it would endanger the title of the church to its property, and that thus the constitutional number of classes necessary for adoption did not vote for the change. The present General Synod, believing that the fear of danger to the church property involved in the change to be entirely groundless, again resolved to request the classes to take action on the omission of the word German. The new liturgy, which has for many years been a cause of considerable discord, as it is regarded by its opponents as being pervaded by a high-church spirit, came up again for discussion. The Western committee not being able to submit their work, and asking for further time to complete it, the majority of the committee of the General Synod on "liturgy" recommended that the final action on the liturgy be postponed, and that the Western committee be allowed to go forward with their work as proposed, and that the revised liturgy, as presented by the Eastern Synod, be in the mean time allowed for the use of the churches and families under the jurisdiction of the synod. A report from the minority of the committee was presented, in which, for a series of reasons given, viz., that the revised liturgy, in the judgment of the minority, is not adapted to the wants of the church, and is not in harmony with the spirit and standards of the church and involves a revolution of the established order of worship, they recommend that the revised liturgy of the Eastern Synod, together with the work of the Western committee, as far as prosecuted, be placed in the hands of a new committee, with instructions to prepare, from this material, and such other sources as may be accessible, a liturgy adapted to the want of the church, and in full harmony with its standards, genius, and order of worship, and lay the result of their labors before the synod at its next triennial session. After a long and animated discussion the resolution was adopted, by a vote of sixty-four yeas against fifty-seven nays.

RENNIE, GEORGE, C. E., F. R. S., an eminent engineer and writer on engineering topics, born in Surrey, in 1791; died in London, March 30, 1866. He was a son of John Rennie, C. E., F. R. S., etc.; was educated at the classical schools of Isleworth, and St. Paul, London, and in 1807 accompanied his father in his annual tour through England, Ireland, and Scotland. On his return to Edinburgh he was entered a student in the University, giving his attention to classical and mathematical studies and chemistry, and was two years under the tuition of Professor John Playfair. In 1811 he returned to London and engaged in practical engineering.

In 1818 he was appointed Inspector of Machinery and Clerk of the Dies in the Royal Mint, which post he held nearly eight years, acquiring during that time an intimate knowledge of the art of coining, and especially of the machinery necessary. Subsequently, upon the death of his father in 1821, he entered into partnership with his brother in civil engineering, furnishing machinery for the mints of Mexico, Peru, Lisbon, London, Calcutta, Bombay, etc. They furnished, also, machinery of various kinds for the Russian Government, constructed marine engines for the Peninsular, Oriental, Sardinian, Transatlantic, and other companies, planned bridges, and surveyed railroads, besides executing many other works in Great Britain and Ireland. The brothers Rennie were the first to introduce screw propellers into the British navy in 1840. They also laid out the line of the Liverpool and Manchester Railway and carried it across Chat Moss at a cost of £57,000 less than the estimates. In 1822 Mr. Rennie was made a Fellow of the Royal Society, which he served in the offices of treasurer and vice-president for three years, and was subsequently elected a member of other important societies. He was the author of several scientific papers in the "Transactions" of the Royal Society, and of the British Association for the Advancement of Science, such as "On the Strength of Materials," "On Hydraulics," "On the Expansion of Arches of Stone and Iron," and on bridges, water-wheels, dredging, and mechanics. He was also the author of many miscellaneous reports on civil engineering topics.

REUSS, the name of two German principalities. I. REUSS-GREIZ. Prince, Henry XXII., born March 28, 1854; succeeded his father, November 8, 1859. Area, 148 square miles; population, in 1864, 43,924. II. REUSS-SCHLEIZ. Prince, Henry LXVII., born October 20, 1789; succeeded his brother, June 19, 1854. Area, 297 square miles; population, in 1864, 86,472. During the German-Italian war Reuss-Greiz sided with Austria, and Reuss-Schleiz with Prussia. After the war both joined the North German Confederation.

RHIGOLENE. Dr. Henry J. Bigelow, of Boston, gives a description of a petroleum-naphtha (for which he proposes the name of Rhigolene), boiling at seventy degrees F., and possessing the property of causing an intense degree of cold by the rapidity of its evaporation. It is a hydro-carbon destitute of oxygen; is the lightest of all known liquids, having a specific gravity of 0.625, and is supposed to be a combination of some of the known products of petroleum with those volatile and gaseous ones not yet fully examined. Several of these combinations are already known in trade as benzolene, kerosene, kerosolene, gasolene, all naphthas, but varying with different manufacturers. Kerosolene, the boiling-point of which is about ninety degrees, has been found to be an efficient anæsthetic by inhalation. The dis-



covery by Dr. Richardson, of London, of a useful anæsthesia by freezing through the agency of ether vapour, reducing the temperature to six degrees below zero F., suggested to Dr. Bigelow the idea of using a very volatile product of petroleum for the congelation of the tissues. A petroleum liquid was manufactured at his request (rhigolene), and by its application the mercury was easily depressed to nineteen degrees below zero, and the human skin could be frozen hard in five to ten seconds. A lower temperature would probably be indicated but for the ice which surrounds the bulb of the thermometer. The same result may be approximately effected by the common "spray-producer." For convenience, however, Dr. Bigelow has employed a glass vial, through the cork of which passes a metal tube for the fluid, the air-tube being outside and bent at its extremity so as to meet the fluid-tube at right angles at some distance from the neck of the bottle. Air is not admitted to the bottle, the vapor of the rhigolene generated by the warmth of the hand applied externally being sufficient to prevent a vacuum and to insure its free delivery; fifteen degrees below zero is easily produced by this apparatus. The bottle, when not in use, should be kept tightly corked, as the liquid readily loses its more volatile parts by evaporation, leaving a denser and comparatively less efficient residue. Dr. Bigelow claims that freezing by rhigolene is far more sure than by ether, inasmuch as common ether, boiling only at about ninety-six degrees instead of seventy degrees, often fails to produce an adequate degree of cold. The rhigolene is more convenient and more easily controlled than the freezing mixtures hitherto employed, is quicker in its action, cheaper, and comparatively odorless. On these grounds it is believed that rhigolene will supersede ether or chloroform for small operations and in private houses. For large operations it is obviously less convenient than general anæsthesia, and will not supersede it. Applied to the skin the first degree of congelation is evanescent; if protracted longer, it is followed by redness and desquamation, which may possibly be averted by the local bleeding of an incision; but, if continued or used on a large scale, there is imminent danger of frost-bite and mortification.

**RHODE ISLAND.** The election in this State takes place on the first Wednesday in April. The Republican Convention for the nomination of candidates assembled in Providence, on March 20th. One hundred and six delegates were present. Every town in the State was represented. No sooner was the convention organized by the election of officers and the completion of the list of delegates, than a strife commenced to determine who should be the first to nominate Ambrose E. Burnside as the candidate. One Mr. Fay was the first recognized by the chairman, and made the motion. It was seconded, and the nomination urged, for the reasons that General Burnside was well known to the people of the State; he

was the man, of all others, who could unite the Republican party of Rhode Island; the present was a time of great importance, and there should be no differences of opinion. General Burnside was then promptly declared the candidate of the convention by acclamation. William Green was nominated for Lieutenant-Governor, John R. Bartlett, Secretary of State; Horatio Rogers, Attorney-General, and General W. Tew, Treasurer. Committees were appointed, the candidate for Governor was notified and accepted, and the convention adjourned without alluding to any resolutions.

On the next day the Democratic Convention assembled. About a hundred delegates were present, representing nearly every town in the State. After the organization of the convention, a committee on resolutions was appointed, who subsequently made a report, which was adopted without opposition. The first resolution asserted that the Constitution of the United States is the only foundation that can sustain the American republic, and that in every emergency it should be adhered to in fact as well as in letter, and should be the fundamental and controlling law.

The second referred to reconstruction, and said that, in our system of government, each State should bear its equal proportion of representation as well as taxation.

The third recognized the services of President Johnson in his efforts to preserve the Constitution, to secure to the several States their just representation in Congress, and their rights in the Union; and called upon all men to co-operate with him, thus showing their confidence in his efforts to stand by the principles of the Constitution.

A discussion ensued on the propriety of nominating a regular Democratic ticket, or accepting the names brought forward by the Republican Convention, for the reason that the popularity of General Burnside was such, that he could not be defeated. It was finally determined to appoint a special committee of five, being one from each county, with authority to make up a ticket to be presented to the central committee for their acceptance or rejection. The ticket thus prepared consisted of Lyman Pierce, for Governor; G. H. Durfee, Lieutenant-Governor; W. J. Miller, Secretary of State; J. S. Pitman, Attorney-General; J. Atkinson, Treasurer.

At the election, the total vote given was 11,178; of which General Burnside received 8,197; Mr. Pierce, 2,816; Burnside over Pierce, 5,381. The Legislature elected was divided as follows:

	Senate.	House.
Republicans .....	28	65
Democrats.....	5	7
	—	—
Republican majority..	23	58

The Governor elect was inaugurated on May 29th, at Newport. The inauguration scenes are thus described by a spectator:



About half-past eleven o'clock, the military escort, numbering about 1,200 soldiers, comprising nearly every military company in the State, including three full companies of cavalry, and one light battery of six pieces, under command of Brigadier-General Church, escorted the newly-elected members of the Legislature to the State House.

The "grand committee" met in convention at 12 o'clock, for the purpose of counting the votes for the State officers, and soon after voted a recess till 3 o'clock, at which time the inauguration ceremonies took place. At 3 o'clock the Legislature again assembled, the Governor in the chair. The roll call elicited the fact that a quorum was present.

The votes for the various officers were counted and declared, and the announcement was made to the "grand committee" that the several officers had been elected. The communication was then made to the town-clerk of the town of Newport, who made proclamation from the balcony of the State House that the officers so named were elected to serve for the year ensuing.

As soon as the town-clerk had finished making the proclamation to the vast multitude below, the loud boom of the cannon took up the echo and informed the good people of the proud little State that the new Government had been inaugurated, and had entered upon its duties.

The "grand committee" then dissolved, and the Senate returned to their chamber, and the Governor, as presiding officer, announced the various committees, standing and joint, and the Legislature then adjourned.

The crowd slowly dispersed, and in a short time Washington Square was left to its usual quiet.

Altogether it was one of the most noted days in Newport's history, there never having been seen in its streets so large a display of military, or so large a concourse of spectators.

A session of the Legislature, extending through nearly four days ensued, which was described as a "pleasant, harmonious, and industrious one." Eighty-three acts and resolutions passed both houses, and many other bills failed in one or the other house. The following were among the resolutions passed:

*Whereas*, The General Assembly of the State of Rhode Island have learned with profound regret the death of Brevet Lieutenant-General Winfield Scott, at West Point,

*Therefore resolved*, That we desire to express our deep appreciation of the private character and grand military achievements of the departed hero, and our sincere regrets at his decease, although we are impressed with the consciousness that he is gathered to his fathers full of years and honors, after a long life of great military achievements and patriotic devotion.

*Resolved*, That we commend his example to the present and future generations as a man, a hero, and a devoted patriot.

It was said by the press: "Governor Burnside presided in the Senate and in grand committee, with dignity and easy efficiency, quite remarkable in one whose experience in public affairs had been of a military rather than a legislative character." The salary of the Chief Justice of the Supreme Court was raised to \$3,500; Charles S. Bradley was reelected to that office. A resolution was adopted, appointing a committee to select a site and procure designs and estimates for a monument to the memory of the officers and men from the State who fell during the late war. A proposition was also brought

forward and referred to a special committee, to withdraw the State guardianship from the tribe of Narragansett Indians. This tribe resides within the limits of the State. Its members elect their own officers, and are governed by their own laws, which embrace their customs and usages as they are gathered from tradition. Their council is of annual election, and subject to an undefined supervising power resting with the General Assembly of the State, and is the arbiter of all their affairs. About 2,000 acres of their tribal lands are held by individual members of the tribe as their separate estate. Their title was derived originally from the tribe, and rests upon tradition. The council grant the titles. Their mode of grant is as follows: the council go with the grantee upon the lot proposed to be granted. After the lot is marked out and bounded, the council cut a sod, and place it upon the bare head of the grantee, and then, while he is upon the land and under the sod, they administer to him a solemn oath of allegiance to the tribal authority. This mode of investiture of title bears a considerable analogy to the old common law, *livery of seizin*.

The individual lands of the tribe cannot be alienated without the consent of the General Assembly of the State; they descend to the heir upon the decease of the holder, subject however to the right of occupancy in the next of kin who remains with the tribe, the possession however is to be restored to the heir when he returns to the tribal jurisdiction; but should the owner die in debt to the tribe, the council let or improve the lands, or sell the wood from them to pay the debts due to the tribe, and when these are paid, they surrender the land to the heir or the holder entitled to possess them. The tribe maintain their poor, and support public worship, and the State supports their school. The tribe number 58 males, and 75 females; in all, 133. They own, in all, about 3,000 acres of land in the centre of the town of Charleston.

At a conference between the committee of the Legislature and the members of the tribe, the red men declined to become citizens of the State under the "Civil Rights." They did not wish to vote at elections.

During the year the Governor succeeded in collecting nearly all of the State military claims against the Federal Government. The amount of these was \$208,000, of which less than \$20,000 were unsettled.

The finances of the State are in a favorable condition, and her local institutions prosperous.

RICHMOND, DEAN, conspicuous as a political manager, capitalist, and business man, and largely identified with the railroad system of New York and the Western States, died on August 27th in the city of New York, after a short illness, in the 63d year of his age. His maternal grandfather, Elkanah Dean, resided in Taunton, Massachusetts, where his parents were married. Soon after, they removed to



Barnard, Vermont, where the subject of this sketch was born. He was named Elkanah Dean, after his grandfather, but it was not a convenient appellation, and he was never known by any other than that by which he became famous throughout the country—Dean Richmond. Elkanah Dean was a noted man in the neighborhood of his home, and his grandson occasionally spoke of the uncommon endowments of his progenitor with pride and satisfaction. The stature of Mr. Dean was almost gigantic, while his clear, sagacious, and penetrating intellect and iron will gave him a commanding influence among his fellows. He was a Democrat of the Jeffersonian school, and his earnest and persistent inculcations seem to have produced a lasting impression on the tender mind of his grandson. Mr. Richmond always spoke of the sound judgment, unbending integrity, and deep convictions of his grandparent with equal respect and admiration.

In 1812 the mother of young Richmond removed with her child from Vermont to Salina, now a part of the city of Syracuse, in the State of New York, where his father had been engaged in business for several years. In his youth his educational advantages were limited, and his deficiency in early culture was often the subject of regret and chagrin to him in his after-life. But he surmounted the difficulties resulting therefrom with amazing facility. The retentiveness of his memory was something prodigious, and he mastered every question that engaged his attention, with a degree of readiness and ease that few men, however accomplished, ever attain. Superficial observers are accustomed to suppose that men of his mould, self-made and self-contained, are not to be improved by education—that thorough culture and training would not have made Dean Richmond a more effective man, or increased the power he wielded in public affairs. No such fallacy had a place in his mind. He appreciated the advantages of extensive knowledge, and always lamented that his opportunities for its acquisition in early life had been so circumscribed. In fact, it may be doubted whether he did not over-estimate his deficiencies in this respect. He had read a great deal, particularly of history and biography, and what he read he never forgot. His political information was extensive, general, and precise. With the personal politics of the country few men had a more thorough acquaintance, and no one gauged with greater precision the calibre of those who are popularly supposed to exercise the largest influence on the conduct of the government. Early in life he took an active part in politics, and while yet a boy he enjoyed the confidence of the Democratic leaders who constituted the Albany Regency. In all the primary assemblages of Onondaga he was a leading spirit, and his word was law with the young Democrats of the county. He was always a leader among his fellows; but, while

he aided in the bestowment of official distinctions and other gratifications, he would never accept office or public honors of any kind. He was a man of decided convictions, and while he regarded the maintenance of Democratic principles as essential to the well-being of the country, his restless temperament and love of excitement had a strong influence in leading him to take part in all political contests. The power he exercised in public affairs was to be referred in large measure to his refusal of all party honors and advantages. Then he contributed liberally of his ample means for political purposes, and his counsels were wise and judicious. He was thrown upon his own resources at an early day, his father dying when he was about fourteen years old, and his mother two years afterward. Mr. Richmond, senior, was an energetic, capable business man, but having met with reverses in trade at Salina, he collected his means and went South to better his fortunes. He died at Mobile, being then about forty-five years of age.

Dean Richmond, meantime, had turned his attention to business with that sagacity, energy, and perseverance which marked his career in after life. At the early age of fifteen he commenced the manufacture of salt at Salina, having no other capital than a legacy of debt bequeathed him by his father. He found a market for his salt in the North and East, transporting it in boats down the Oswego River to Lake Ontario, and down the Mohawk to Schenectady. He was eminently prosperous in his undertakings, and the intelligent enterprise with which he conducted his affairs, with his high sense of integrity and personal honor, won him the confidence and regard of all with whom he was brought in contact. Having amassed an amount of money adequate to the necessities of the business, he removed to Buffalo in 1842, and engaged in the purchase and transportation of the products of the west. He was almost invariably successful in his enterprises, and in the course of a few years became one of the wealthiest business men in the lake country.

His interest in politics, meantime, never diminished or flagged. He was still as busy and active in elections and the preliminary canvass, as when he led the hardy young Democrats of Onondaga to victory. His residence was in the village of Attica, in the strong Whig county of Wyoming, and his influence was seen in the steadily increasing Democratic vote of that region. He was a leading director in the Attica and Buffalo Railroad; and when the direct line to Batavia was built he removed to that town, where his family still reside.

When the Erie Railroad was finished to Lake Erie, and the Pennsylvania Central had completed its track, it was apparent that the several companies which now compose the New York Central could not successfully compete with those great lines unless they were consolidated and operated by one controlling mind. Here were seven distinct corporations,



each one managed independently of all the others, while the railroads were controlled each by a single board of directors. Consolidation became, therefore, a matter of pressing necessity. The line could not be advantageously maintained without it. In 1853 the bill creating the New York Central Railroad was carried through the Legislature against the most determined and virulent opposition—an opposition so powerful that nothing but the sagacity, address, and perseverance of Mr. Richmond could have prevailed against it. When consolidation was carried, Mr. Richmond was chosen vice-president of the company, a place that he held until he was made president on the retirement of Mr. Corning in 1864.

ROGERS, HENRY DARWIN, LL. D., F. R. S., Regius Professor of Geology and Natural History in the University of Glasgow, Scotland, born in Philadelphia in 1809; died near Glasgow, aged 60 years. He was a son of Dr. P. K. Rogers, an eminent physician in Philadelphia, and subsequently professor in William and Mary College, Virginia. Having received a thorough education, he became at an early age professor of physical sciences in Dickinson College, Carlisle, and in 1831 was chosen professor of geology in the University of Pennsylvania, which position he held for several years. His active geological labors commenced with a survey of the State of New Jersey, a report of which, with a geological map, he published in 1835. Subsequently he was appointed to the work of surveying the State of Pennsylvania, which, with some interruptions, occupied him until 1856. His report of this immense labor, with drawings, illustrations, and maps, was published in Edinburgh in 1858, and ranks in scientific as well as practical value with the labors of the first geologists of the age. In 1857 he was appointed Regius professor of geology and natural history in the University of Glasgow, where he remained until his death. He had previously spent some time in Boston, where his scientific attainments won him the respect of all. He ranked high among the scholars and thinkers of the day. In his lectures he was a master of exposition; lucid in style, orderly in arrangement, persuasive in tone, he presented his subject in all its facts and relations with an artist's skill in expression, and at the same time without any exaggeration to produce artistic effect. Professor Rogers contributed many important papers to the "Transactions" of the American Philosophical Society, the Boston Society of Natural History, the American Association of Science, the "American Journal of Science," and the Edinburgh "New Philosophical Journal," of which he was one of the editors. He was the author of a geological map of the United States and a chart of the Arctic regions in the "Physical Atlas," and also aided in the preparation of a geographical atlas of the United States.

ROMAN CATHOLIC CHURCH. The present Pope is Pius IX., born at Sinigaglia, on

May 13th, 1792; elected Pope on June 16, 1846. The College of Cardinals, in October, 1866, consisted of 59 members, of whom 6 were cardinal bishops, 9 cardinal deacons, and the remainder cardinal priests. As regards the nationality of the cardinals, 39 were Italians by birth, 8 Frenchmen, 4 Spaniards, 4 Germans, 1 Croatian, 1 Belgian, 1 Portuguese, and 1 Irishman. Throughout the globe there were, at the close of the year 1865, 12 patriarchal sees, 154 archiepiscopal, and 692 episcopal; besides 226 sees in *partibus infidelium*, 130 archbishoprics, and 196 bishoprics.\*

According to the latest statistical statements, there are in the Roman Catholic Church 310,000 monks and nuns. The male orders have the following membership: Franciscans, 50,000; School Brethren, 16,000; Jesuits, 8,000; Congregations for nursing the sick, 6,000; Benedictines, 5,000; Dominicans, 4,000; Carmelites, 4,000; Trappists, 4,000; Lazarists, 2,000; Piarists, 2,000; Redemptorists, 2,000, etc. The female orders count about 190,000 members, of which number 162,000 belong to Europe, dividing themselves in this way, that 10,000 belong to France; 30,000 to Italy; 10,000 to Belgium; 8,000 to Germany; 7,000 to Spain; 4,000 to Great Britain. There are 20,000 nuns in America; 4,000 in Asia; 1,000 in Africa, etc. There are 28,000 Sisters of Mercy; 22,000 Franciscans, in part engaged in nursing the sick; 10,000 Sisters of the Holy Heart; 8,000 Sisters of St. Joseph; 8,000 Sisters of our Lady; 8,000 Sisters of the Holy Cross; 5,000 Sisters of the Order of St. Carlo Borromeo, etc. There is a large number of so-called congregations or associations of various names, all serving charitable objects, nursing the sick, assisting the needy, educating the children, providing for the orphans, etc. The Jesuits, who annually publish an official statement of their society, reckoned at the close of 1866 four consistories and twenty provinces; the number of members being 8,167, showing an augmentation of 215 over the year 1865. In the French province are 2,422, whereas, in 1865, there were only 2,266. Notwithstanding their expulsion from Naples, Sicily, Turin, Venetia, and the Mexican empire, they are steadily increasing in number.

According to the English *Catholic Directory* for 1867, there are in England, in connection with the Roman Catholic faith, 1,415 priests, 1,014 churches, chapels, and stations, 63 communities of men, 204 convents, and 11 colleges. England is divided into 13 dioceses, to which there are attached 16 bishops. In Scotland there are 4 bishops, 193 priests, 193 churches, no monasteries, 16 convents, and 2 seminaries. The number of Roman Catholic peers is 26, and is made up of 1 duke, 7 earls, 3 viscounts, 14 barons, and 1 countess. The baronets number 50. Amongst the earls are two titles, which in the year before were filled by Protestants, viz., those of Denbigh and Gainsborough. The

\* For additional statistics, see ANNUAL CYCLOPEDIA for 1865.



heirs presumptive to two of the peerages, viz., Lord Arundel, of Wardour, an English peer, and Lord French, an Irish peer, are Jesuit priests; one of the baronets is a Jesuit priest; and the heirs presumptive to two of the baronets are Jesuit priests. In five out of the thirteen dioceses into which the Catholic Church has divided England, the Jesuits have established seminaries for the education of priests of their order.

The negotiations of the Italian Government with the Pope for obtaining a recognition of the annexation of the larger portion of the Papal dominions to Italy, and a regulation of the church affairs in the kingdom of Italy, led to no result. The Pope deemed it his duty to defend the integrity of the temporal possessions of the Papacy. He gave a solemn utterance of his views in an allocution, delivered in November; the most important portions of which were as follows:

**VENERABLE BRETHREN:** More than once, O venerable brethren, exercising our apostolic office, we have deplored, either in our published letters, or in divers allocutions delivered in your most august assembly, the affliction which has hung for a long time in Italy over the affairs of our very holy religion, and the very grave insults offered to us and the Holy See by the sub-Alpine government. Moreover, you must comprehend with what grief we are seized, now that we see that government, with a passion that is increasing every day, constantly attacking the Catholic Church, its wholesome laws, and all its sacred ministers; when we see, alas, venerable bishops, and the most virtuous clergy, both secular and regular, and other most excellent Catholic citizens, sent into exile by that government, without the least regard for religion, justice, or humanity, or thrown into prison, or condemned to forced residence, molested in the most unworthy manner; dioceses deprived of their pastors, to the great detriment of souls; virgins devoted to God taken away from their convents, and reduced to beggary; God's temples violated; diocesan schools closed against the members of the clergy; the education of Catholic youths taken out of the pale of Christian discipline, and confided to the professors of errors and iniquities, and the patrimony of the church usurped and sold.

That same government, in contempt of ecclesiastical censures, and without paying the least regard to our most just complaints, and those of our venerable brethren, the bishops of Italy, has sanctioned similar laws, totally contrary to the Catholic Church, to its doctrine and its rights, and condemned by us; and it has not hesitated to promulgate a law respecting civil marriage, as it is called—a law quite contrary not only to the Catholic doctrine, but likewise to the well-being of civil society. Such a law tramples under foot the dignity and sacredness of marriage. It destroys it as an institution, and encourages a concubinage that is perfectly scandalous. In fact, a marriage cannot take place among the faithful without there being at the same time a sacrament. It belongs, therefore, exclusively to the Church to decide on every thing concerning the sacrament of marriage.

Moreover, that government—injuring in an evident manner the condition of those who make public profession of religious vows, which have always had and always will have force in God's Church, and not recognizing the very great advantage of the regular order, which, founded by men of holiness, and approved by the Holy Apostolic See, have, in an especial manner, deserved the thanks of the Christian Republic, civil and literary, by so many glorious labors, and so many pious and useful works—has

not feared to sanction a law suppressing throughout its entire territory all religious corporations of both sexes; it has appropriated all their property, and a great deal of other property belonging to the Church, and has ordered it to be divided. Before entering into possession of the Venetian province it did not hesitate to extend thereto the same laws, and it enjoined, contrary to all law and justice, the total abrogation and annihilation of the convention which was come to between us and our very dear son, in Jesus Christ, Francis Joseph, Emperor of Austria.

Therefore, faithful to the very serious duty of our apostolic ministry, we raise anew, in your most august assembly, our voice on behalf of religion, of the Church, of its holy laws, the rights belonging to the authority of this chair of St. Peter; and with all our strength we deplore and condemn all and each of the things which, contrary to the Church, its laws, and its rights, have been decreed, done, and attempted by the sub-Alpine government, and by all other subordinate authorities; and by our apostolic authority we abrogate and proclaim null and void, and without force or effect, all the aforesaid decree, and every thing that appertains to it.

We likewise beg their authors, who glory in the name of Christians, to bear in mind, and seriously to consider that they have unfortunately incurred the censures and the spiritual pains inflicted by the Apostolic constitution and the decrees of the general councils, upon whosoever should attack the rights of the Church.

You know, venerable brethren, that certain astute men oppose us, and interpret in their own sense the blessings which we gave to Italy, when, assuredly without any merit of our own, but, thanks to the impenetrable judgment of God! we spontaneously pronounced the words of pardon and peace, out of love for the people of the Pontifical State.

In truth, full of solicitude for the welfare and happiness of the entire flock, asking, by our prayers from God, the good of Italy, we besought him with fervor and humility that he might deliver her from the evils that afflicted her, and that the most precious gifts of the Catholic faith might be all powerful in Italy, and that rectitude of manners, justice, charity, and all Christian virtues, might flourish there more and more. Once more, to-day, we do not cease to send up our most fervent prayers to God, that in his goodness he would deign to remove from the Catholic people of Italy the many and great calamities of every kind which are afflicting and assailing them through the fault of the governors of Italy, and in consequence of a multiform persecution. But, above all things, we beseech our most merciful Lord to aid and fortify, by his heavenly help, the people of Italy, in order that they may remain firm and immutable in the Divine faith and their religion, and that they may be able, with Christian fortitude, to support and endure so many misfortunes and evils.

Foolish, however, are those who, on the strength of this, do not cease to demand of us, already despoiled, and with the most manifest injustice, of several provinces of our Pontifical territory, that we should renounce our civil sovereignty, and that of the Apostolic See. Surely, every one must see how unjust and prejudicial to the Church is such a demand. By a singular arrangement of Divine Providence, as we have said on a former occasion, it happened that, the Roman empire having fallen, and being divided into many kingdoms and divers states, the Roman Pontiff, in the midst of such a great variety of kingdoms, and in the actual state of human society, was invested with his civil sovereignty, in consequence of which, never being subject to any lay power, he exercises in entire liberty supreme authority and jurisdiction over the Church, which has been divinely confided to him by our Lord Jesus Christ.

And the faithful, with full tranquillity of conscience,



and entire confidence, obeying the decrees, warnings, and orders of the Pontiff, submit themselves thereunto without ever entertaining the least suspicion that his acts are subject to the will and impulse of any sovereign or any civil power. We cannot renounce the civil power established by the Divine wisdom of Providence for the good of the universal Church. We are bound, on the contrary, to defend that government, and to protect the rights of that civil power, and to complain strongly of the sacrilegious usurpation of the provinces of the Holy See, as we have already done, and as we do now, remonstrating and protesting to the utmost of our power.

Every one knows that the bishops of the Catholic world have never ceased to defend with zeal, orally and in writing, our civil sovereignty, and that of the Apostolic See, and all have proclaimed that that sovereignty, especially in the actual condition of the affairs of this world, is absolutely necessary to establish and defend the perfect liberty of the Roman Pontiff, who feeds all the Catholic flock—a liberty which is so intimately connected with all the freedom of the entire Church.

These same men fear not even to go about, crying everywhere that we ought to reconcile ourselves to Italy—that is to say, with the enemies of our religion, who boast themselves of having founded Italy. But how can we, the appointed champions and defenders of our most holy religion, and of the salutary doctrine of virtue and justice, who have to watch for the salvation of all, march in concert with those who, not upholding the holy doctrine, and refusing to hear the truth, keep themselves away from us—those who would never condescend to grant our desires, or to meet our demands, to the effect that so many dioceses of Italy, deprived of their pastoral consolation and protection, should have their bishops?

Another allocution was pronounced by the Pope on the same day against Russia. After mentioning several instances of what was considered by him as individual ill-treatment practised against Catholic ecclesiastics in Poland, the Pope continued:

In addition, my venerable brethren, the Russian Government has promulgated decrees by which the Catholic Church, its authority, its laws, and its discipline, are trodden under foot. By them almost all the monasteries of the regular orders of both sexes have been suppressed, all their property transferred to the public treasury, and the very small number of religious communities which still exist separated from the authority of their superiors; they have been subjected to the jurisdiction of the ordinaries, and all the Catholic clergy, as well in Poland as in the empire of Russia, have been despoiled of their wealth, even although belonging to the bishops, chapters, parishes, incumbents, or institutions for pious purposes; the revenues of these properties have been confided to the administration of the public financial officers. By these same decrees, contrary to the ecclesiastical laws, to the authority of the Holy See, and to every right, a new organization of the Catholic clergy has been established, new regulations effected for the chapters of canons in all the dioceses, and a new division of parishes made; the chapters of the collegiate churches have been abolished; the authority and liberty of the bishops destroyed, as they can no longer, without the consent of the secular power, name any cure, administrator of a parish, or vicar. By another decree, the Catholic diocese of Kamenieky has been suppressed and taken away from its pastor to be added to the administration of that of Zitomir. The lawful cures of those of Sandomir and Cracow have been, at the caprice of the government, sent from one parish to another, their classification changed and replaced by others. The edifices

of the diocesan training-school for young priests at Plock have been confiscated, and the bishop compelled to send the ecclesiastics into the monastery which belonged to the Franciscans outside the walls. All liberty of communication being besides refused to the priests, who can no longer go more than a mile from their residences, to have any communications among themselves, the intercourse of the faithful with the Apostolic See is thus interdicted and suppressed by the Russian Government, with such severity that we have ceased absolutely, to the great grief of our soul, to be able to give the cares of our Apostolic ministry to that cherished portion of the Lord's flock, or to afford any succor to individual sufferings. Would to God that the sad news which has recently reached us may not be confirmed, that the bishop of Chelm and the larger part of the canons of the Cathedral have, by order of the government, been transported into unknown regions! We do not speak of the ruses, artifices, and efforts of all kinds, by which the Russian government endeavors to tear her sons from the bosom of the Church, and to draw them with all its force toward the most fatal of schisms; we say nothing of the prisons, exile, and other punishments, with which the bishops and other holy ministers, as well as the religious bodies, and the simple faithful, have been painfully visited for their firm attachment to religion, and the defence of the rights of the church. All this will be more manifestly proved in the detailed account of the facts, which we have ordered to be printed, and to be speedily laid before you with the necessary documents in proof. Thus all the Catholic world will become acquainted with the prolonged war which the Russian government has declared against our holy religion, in order to efface it entirely from the kingdom of Poland and the empire of Russia.

The Russian government replied to this allocation by declaring the concordat of 1847 abrogated. The reasons for this step were explained in a circular dispatch forwarded by Prince Gortschakoff, together with a memorandum, to the representatives of Russia at foreign courts. The memorandum is of great length, and is entitled an "Historical Summary of the Acts of the Court of Rome that have brought about the Rupture of Relations between the Holy See and the Imperial Cabinet, and the Abrogation of the Concordat of 1847." Prince Gortschakoff's dispatch is as follows:

ST. PETERSBURG, January 7, 1867.

The acts of the court of Rome having rendered it impossible for his majesty the emperor to continue diplomatic relations with the Pontifical government, the necessity has resulted of abrogating the concordat of 1847, which settled the relations of the Imperial Cabinet with the Holy See. The ukase of his majesty the emperor sanctioning this decision is known to you. This document confines itself to stating the abrogation of the concordat. It was not accompanied by the reasons destined to explain the adoption of that measure. The reserve dictated to the Imperial Cabinet by regard for the Holy See, has not been observed by the Pontifical government. It has just made public a collection of documents, the idea and gist of which is intended to relieve the Holy See from all responsibility, letting it rest solely upon the Imperial Cabinet. By this means the collection states the progress of this regrettable conflict in a partial and inexact manner. By so doing the court of Rome releases us from the scruples by which we have been held back. It summons us to the ground of debate, and even making it our duty to follow it thereon. The acts of our august master do not fear the light. Hereto annexed you will find a



rigorously exact explanation of the facts that have resulted in the rupture of diplomatic relations between the two courts. You are authorized to give to this document all fitting publicity. You will be careful at the same time to point out that, in following the court of Rome into this painful discussion, the Imperial Cabinet is not actuated by any idea hostile to the regard for the Holy See. It has no other object than to establish truth. Principles of religious toleration and the constant solicitude of the emperor for all the creeds professed in his States no less remain the invariable rule of his political conscience. So far as depends upon his majesty, his Catholic subjects will not have to suffer from the cessation of the relations our august master endeavored to maintain with the Holy See in view of their religious interests.

On December 8th the Cardinal Prefect of the Sacred Congregation of the Council of Trent issued, by order of the Pope, a circular letter to all the Catholic bishops of the world, inviting them to be present on the 29th of June, 1867, at the canonization of several martyrs in Rome. This will be the second general assembly of the bishops of the Roman Catholic Church during the pontificate of Pius IX. The following is the letter of invitation:

*Illustrious and Very Reverend Sir:* Among the principal and gravest cares of the Apostolic ministry of the Sovereign Pontiff the most grateful is to confer, according to established rites, the honor of canonization and public worship in the Church upon the heroes of the Christian religion. Therefore the holy congregation of rites having accomplished all the acts according to the discipline prescribed by the Apostolic Constitution, our Holy Father Pope Pius IX., after having maturely considered the circumstances, has resolved (in as far, however, as the power of the Almighty, as we are permitted to hope, shall avert the imminent tempest which threatens us) to hold, in the month of June, 1867, two semi-public consistories. After these consistories the Holy Father, by the aid of God and the Virgin Mother of God, will inscribe, by a solemn decree in the catalogue of saints, the blessed martyrs, confessors, and virgins, whose names hereafter follow. On the 29th of the same month is the festival of the blessed Apostles Peter and Paul, which on this occasion will be celebrated with all the greater joy by reason of the secular anniversary of their glorious martyrdom. The names of the blessed martyrs, confessors, and virgins, are as follows: 1. The blessed Josaphat, Archbishop of Polotsk, of the Ruthenians in White-Russia, martyr. 2. The blessed Pedro d'Arbues, of the order of regular canons of St. Augustine, Inquisitor of Spain, and canon of the Metropolitan Church of Saragossa, martyr. 3. The nine blessed martyrs of Gorkhum, belonging to divers regular orders, or to the secular clergy. 4. The blessed Paul de la Croix, confessor, founder of the congregation of Clercs-Dechaussés of the Holy Cross, and of the Passion of our Lord Jesus Christ. 5. The blessed Leonard of Port Maurice, confessor, apostolic missionary of the Minor Order of St. Francis of the Strict Observance. 6. The blessed Maria Francesca of Five wounds, virgin; of the Third Order of St. Peter of Alcantara, in Naples. 7. The blessed Germaine-Cousin, secular virgin of the diocese of Toulouse. According to ancient custom, his Holiness has, therefore, ordered me, Prefect of the Congregation charged to interpret the Holy Council of Trent, to write to the prelates of the Catholic world to announce to them this glad news, and to acquaint them that the bishops, not being detained by the fear of causing grave prejudice to the flocks confided to their care, should repair at the proper time to this noble city, in order to be present at the consistories above mentioned. It will be a

source of great joy for the Holy Father to see his brethren assemble in one place and offer up with one accord prayers to those saints already received into celestial glory, in order that, moved by such supplications in the extreme peril which threatens civil, and, above all, sacred things, they may ask of God, and obtain from his goodness, victory over the malignant enemy, and perpetual peace for the Church militant. Further, it is needful to reflect that it is the will of the Sovereign Pontiff that all those who may respond to this invitation shall be considered as having fulfilled the prescriptions of Sixtus V., of holy memory, contained in the bull "Romanus Pontifex," relative to the obligation of making the journey to Rome in order to visit the Sacra Apostolorum Limina; and if ever there was a time in which it was fitting to come and venerate the sepulchres of Peter and Paul, fathers and masters of the truth, enlightening the souls of the faithful (as was said by Theodore), it is above all at the period in which that festival will be celebrated, which, in the words of St. Leo the Great, "in addition to that veneration which it should receive throughout the world, should be hailed with especial reverence and joy at Rome, in order that, in the place where the death of the principal Apostles has been glorified, greater joy should be manifested on the day of their martyrdom." Given at Rome by the Sacred Congregation of the Council this 8th day of December, 1866, sacred to the Immaculate Conception of the Mother of God.

The second National Council of the Church in the United States was opened on Sunday, the 7th of October, and continued until the 21st of October. It was presided over by Archbishop Spalding, of Baltimore, as "Apostolic Delegate." The other officers of the council were as follows: Promoter—Rev. Dr. Lynch, Bishop of Charleston, S. C. Assistant Promoter—Very Rev. Dr. O'Hara, Vicar-General of Philadelphia. Chancellor—Very Rev. Dr. T. Foley, cathedral, Baltimore. Assistant Chancellor—Rev. James Gibbons, of the cathedral, Baltimore. Secretaries—Very Rev. Dr. Corcoran, Charleston, S. C.; Rev. Dr. Keogh, Professor of Theology, Seminary of St. Charles, Philadelphia; Dr. Becker, of Richmond, Va. Notaries—Rev. Dr. Pabisch, Rector of Seminary of Mount St. Mary's of the West, Cincinnati; Very Rev. E. Villarassa, of California; Very Rev. S. V. Ryan, of St. Louis; Rev. M. Accolti, S. J., of San Francisco; Very Rev. M. Heiss; Rev. W. Wagrish, C. S. S. R.; Rev. H. Healy.

Nearly all the bishops of the United States and the superiors of the religious orders were present. As regards the object of the council, it was officially stated to be the promotion of uniformity by amelioration of discipline, and all that belongs to the ministerial functions in the various archdioceses and dioceses of the United States. A letter, published shortly before the meeting of the council, by the Bishop of Savannah, indicated that one of the main objects of the council would be the provision of measures best calculated to promote the religious education of the negroes.

The acts of the Council had not been published at the close of the year 1866, as before their publication they must receive the sanction of the Pope. The Council issued a pastoral letter to the clergy and laity of their



charge, in which they state, at full length, the reasons for the convocation of the Council, the pressing exigencies of the Church in the United States, and the steps required to secure for it the freest scope for development. The address comprises thirteen articles, with a general conclusion. The subjects of the thirteen articles are as follows: 1. "Plenary Councils"; 2. Ecclesiastical Authority; 3. Relations of the Church to the State; 4. Aid for the Pope; 5. The Sacrament of Matrimony; 6. Books and newspapers; 7. Education of Youth; 8. Catholic Protectories and Industrial Schools; 9. Vocation to the Priesthood; 10. The Laity; 11. The Clergy; 12. The Emancipated Slaves; 13. Religious Communities. Article 3, in which the bishops speak of the relation of the Catholic Church to the Government of the United States, is as follows:

The enemies of the Church fail not to represent her claims as incompatible with the independence of the civil power, and her action as impeding the exertions of the State to promote the wellbeing of society. So far from these charges being founded in fact, the authority and influence of the Church will be found to be the most efficacious support of the temporal authority by which society is governed. The Church, indeed, does not proclaim the absolute and entire independence of the civil power, because it teaches with the Apostles that "all power is of God;" that the temporal magistrate is His minister, and that the power of the sword he wields is a delegated exercise of authority committed to him from on high. For the children of the Church obedience to the civil power is not a submission to force which may not be resisted, nor merely the compliance with a condition for peace and security; but a religious duty founded on obedience to God, by whose authority the civil magistrate exercises his power. This power, however, as subordinate and delegated, must always be exercised agreeably to God's law. In prescribing any thing contrary to that law, the civil power transcends its authority, and has no claim on the obedience of the citizen. Never can it be lawful to disobey God, as the Apostles, Peter and John, so explicitly declared before the tribunal which sat in judgment on them: "If it be just in the sight of God to hear you rather than God, judge ye." This undeniable principle does not, however, entail the same consequences in the Catholic system as in those of the sects. In these the individual is the ultimate judge of what the law of God commands or forbids, and is consequently liable to claim the sanction of the higher law, for what after all may be, and often is, but the suggestions of an undisciplined mind, or an overheated imagination. Nor can the civil government be expected to recognize an authority which has no warrant for its character as divine, and no limits in its application, without exposing the State to disorder and anarchy. The Catholic has a guide in the Church, as a divine institution, which enables him to discriminate between what the law of God forbids or allows; and this authority the State is bound to recognize as supreme in its sphere—of moral, no less than dogmatic teaching. There may, indeed, be instances in which individual Catholics will make a misapplication of the principle; or in which, while the principle of obedience to civil authority is recognized as of divine obligation, the seat of that authority may be a matter of doubt, by reason of the clashing opinions that prevail in regard to this important fact. The Church does not assume to decide such matters in the temporal order, as she is not the judge of civil controversies, although she always, when invited to do so,

has endeavored to remove the misconceptions from which disputes so often arise, and to consult for every interest while maintaining the peace of society and the rights of justice.

While cheerfully recognizing the fact, that hitherto the General and State Governments of our country, except in some brief intervals of excitement and delusion, have not interfered with our ecclesiastical organization or civil rights, we still have to lament that in many of the States we are not as yet permitted legally to make those arrangements for the security of church property which are in accordance with the canons and discipline of the Catholic Church. In some of the States we gratefully acknowledge that all is granted in this regard that we could reasonably ask for. The right of the Church to possess property, whether churches, residences for the clergy, cemeteries or school-houses, asylums, etc., cannot be denied without depriving her of a necessary means of promoting the end for which she has been established. We are aware of the alleged grounds for this refusal to recognize the Church in her corporate capacity, unless on the condition that in the matter of the tenure of ecclesiastical property, she conform to the general laws providing for this object. These laws, however, are for the most part based on principles which she cannot accept, without departing from her practice from the beginning, as soon as she was permitted to enjoy liberty of worship. They are the expression of a distrust of ecclesiastical power, as such; and are the fruit of the misrepresentations which have been made of the action of the Church in past ages. As well might the civil power prescribe to her the doctrines she is to teach, and the worship with which she is to honor God, as to impose on her a system of holding her temporalities, which is alien to her principles, and which is borrowed from those who have rejected her authority. Instead of seeking to disprove the various reasons alleged for this denial of the Church's rights in some of the States, we content ourselves with the formal protest we hereby enter against it; and briefly remark, that even in the supposition, which we by no means admit, that such denial was the result of legitimate motives, the denial itself is incompatible with the full measure of ecclesiastical or religious liberty which we are supposed to enjoy.

Nor is this an unimportant matter, or one which has not practical results of a most embarrassing character. Not only are we obliged to place church property in conditions of extreme hazard, because not permitted to manage our church temporalities on Catholic principles; but in at least one of these United States—Missouri—laws have been passed by which all church property, not held by corporations, is subjected to taxation; and the avowed object of this discriminating legislation, is hostility to the Catholic Church. In concluding these remarks, we merely refer to the attempt made in that State to make the exercise of the ecclesiastical ministry depend on a condition laid down by the civil power.

The views of the bishops on the emancipation of slaves are set forth in the 12th article as follows:

We must all feel, beloved brethren, that in some manner a new and most extensive field of charity and devotedness has been opened to us, by the emancipation of the immense slave population of the South. We could have wished, that, in accordance with the action of the Catholic Church in past ages, in regard to the serfs of Europe, a more gradual system of emancipation could have been adopted, so that they might have been in some measure prepared to make a better use of their freedom than they are likely to do now. Still, the evils which must necessarily attend upon the sudden liberation of so large a multitude, with their peculiar disposi-



tions and habits, only make the appeal to our Christian charity and zeal, presented by their forlorn condition, the more forcible and imperative.

We urge upon the clergy and people of our charge the most generous coöperation with the plans which may be adopted by the bishops of the dioceses in which they are, to extend to them that Christian education and moral restraint which they so much stand in need of. Our only regret in regard to this matter is, that our means and opportunities of spreading over them the protecting and salutary influences of our holy religion are so restricted.

In the "general conclusion" the work of the Council is thus referred to :

We have taken advantage of the opportunity of the assembling of so large a number of bishops from every part of our vast country, to enact such decrees as will tend to promote uniformity of discipline and practice amongst us, and to do away with such imperfect observance of the rites and approved ceremonies of the church, as may have been made necessary by the circumstances of past times, but which no length of prescription can ever consecrate, and thus to give the services of our religion that beauty and dignity which belong to them, and for which we should all be so zealous. For the furtherance of these important objects we have caused to be drawn up a clear and compendious series of statements upon the most essential points of faith and morals, with which we have embodied the decrees of the seven Provincial Councils of Baltimore, and of the first Plenary Council, together with the decrees enacted by us in the present Council, which, when they have been examined and approved by the Holy See, will form a compendium of ecclesiastical law for the guidance of our clergy in the exercise of their holy ministry. We have also recommended to the Holy See the erection of several additional episcopal sees, and vicariates apostolic, which are made necessary by our rapidly-increasing Catholic population, and the great territorial extent of many of our present dioceses.

Soon after the opening of the Council, the bishops sent to the Pope the following dispatch, through the Atlantic cable :

Seven archbishops and forty bishops, met in council, unanimously salute your holiness, wishing you long life, with the preservation of all the ancient and sacred rights of the Holy See.

The dispatch was answered by the following letter, written in the name of the Pope, by Cardinal Barnabo :

ROME, from the Propaganda, October 24, 1866.

*To the Most Reverend Martin John Spalding, Archbishop of Baltimore :*

The telegram which the bishops of the States of the American Union assembled in council had the happy thought to address to the Holy Father proved to be of great comfort and consolation to his holiness, and so highly did he appreciate its spirit that he ordered it to be immediately published in the official journals at Rome, for the edification of his Roman people and the faithful at large. His holiness looks with interest for the acts and decrees of the Plenary Council, which he expects to receive in due time, and from which he hopes a new impulse and continued increase to religion in the United States will result. He has, however, directed me to express directly to your amplitude, and through you to all your colleagues, his great pleasure, and to request you to thank them for the interest they have taken and still take in defending the Holy See and in vindicating its contested rights. Moreover, his holiness has learned with satisfaction that the Papal loan is succeeding also, through the coöperation of the

American Episcopate. He thanks them particularly for this, and nourishes the hope that such coöperation will not cease, and that thence a prosperous result may be obtained. In the mean time, I pray the Lord that he long preserve and prosper you.

ALEXANDER CARDINAL BARNABO,  
Secretary.

ROSS, JOHN, or KOOWESKOWE, chief of the Cherokee Indians, born in the Cherokee Country, Georgia, about 1790; died in Washington, D. C., August 1, 1866. He was a half-breed, and at an early age acquired a good English education. In 1817 and in 1819, when the State of Georgia attempted to induce the Indians to remove west of the Mississippi, a liberal bribe was offered for the purpose to Ross by McIntosh, a Creek half-breed Indian, but it was refused. The proceedings of the Georgia Legislature with reference to the Cherokees, in 1829, led to an appeal on the part of the Indians, Ross acting as their agent, to the Supreme Court of the United States, which resulted in a decision in their favor. Georgia, however, refused to obey, and aggressions upon the Indians increased. In 1835 a treaty was concluded between J. F. Schermerhorn, an agent of the United States, and Major Ridge, his son John Ridge, Elias Boudinot, and about six hundred other Cherokee Indians, including men, women, and children, by which the Indians agreed to surrender their lands and remove West within two years. Against this, known as the New Echota treaty, Ross, and over 15,000 of his tribe protested, in an appeal written by Ross, and addressed to the President of the United States, as having been fraudulently obtained. The Government, however, sent a force under General Scott to compel the fulfilment of the treaty. The Cherokees yielded, and with Ross at their head, removed to their new home. Moderate allowance was made them for their losses by the Government, and after years of suffering they became a prosperous nation. Ross continued to be the Chief of the Cherokees for several years. In 1861, after some hesitation, he entered into a treaty with the Confederate authorities, but it has been stated that he was at heart attached to the Government.

RUSSIA, an Empire in Europe and Asia. Present Emperor, Alexander II., born 1818; succeeded his father in 1855. Heir-apparent, Alexander, born in 1845. The area, in 1862, was estimated at 7,770,882 English square miles, but large additions have since been made to it in Central Asia. The population was, according to the latest data, as follows :

POLITICAL DIVISIONS.	Population.	Census.
European Russia.....	61,061,801	1864
Caucasian ".....	4,257,704	1858
Asiatic ".....	4,070,938	"
Poland.....	4,840,466	1860
Finland.....	1,798,909	1863
American Russia.....	24,200	....
Total.....	76,083,818	.....



Adding the population of the newly-acquired territories, and the natural increase in the old territories, the total population was estimated, in 1864, at 80,257,000; in 1865, at 84,257,000.

The revenue was estimated, in the budget for 1866, at 362,475,811 rubles. Public debt, in 1865, 1,720,819,519 rubles. The Russian army, at the close of the year 1865, numbered 805,000 men. The fleet, in 1864, consisted of 263 steamers, with 2,095 guns.

In April, an attempt was made against the life of the Emperor by a Russian landowner, Karakosoff. The would-be assassin fired a pistol-shot at the Emperor, when the latter, after a promenade in the summer garden, was entering his carriage. A young peasant, who observed the assassin aiming at the Emperor, struck his arm, which caused the bullet to deviate. The culprit was then seized, and the populace was with difficulty prevented from tearing him to pieces. The peasant who saved the Emperor's life, Ossip Jwanoff, was created a noble. The official investigation into the affair terminated in October, when thirty-four persons, compromised by the disclosures at the trial of Karakosoff, were found guilty of high treason by the supreme court. Ischutin, who was convicted of being the founder of the Society of Communists in Russia, and of having incited Karakosoff to attempt the life of the Czar, was condemned to death, and fifteen others were sentenced to exile in Siberia.

The Congress of the United States having voted an address of congratulation to the Czar, on the occasion of his escape from assassination, Mr. Fox, Assistant Secretary of the Navy, was charged by the Government of the United States with presenting this vote to the Emperor. His visit to Russia created in that country a general outburst of enthusiasm at the friendly relations existing between Russia and the United States. All classes of the population took part in these demonstrations. The most notable event of the festivities which took place in honor of the American commissioners, was a speech by the Russian Minister of Foreign Affairs, Prince Gortchakoff, at a farewell banquet, given at St. Petersburg to the American commissioners, on September 13th, in which he expressed his confidence that the good understanding between North America and Russia would be of permanent duration. The following are the most important portions of this speech, which produced a deep sensation in Europe:

It is said that good reigns constitute white pages in history. This dictum is not absolutely true. If there is a reign all of whose pages abound in reforms of important scope in the interests of internal organization—if there is a reign devoted to the cares of the present in prospect of a grand future, it is that which now unites all the affection and devotion of the country, because we have all the close conviction that every moment of that noble existence is consecrated with unlimited abnegation to the welfare of our country. I will only cite among these manifold

works the grandest of them all—that of emancipation. And here I demand of our American friends the permission of a little liberty. The message of Congress contains an error, which can only be explained by distance, when it makes mention of an enemy of emancipation. The insensate person to whom it makes reference belongs to no nationality. He had no personal stake in the destinies of the country; he only represents the blind accident of birth. In Russia, gentlemen, there exists not a single enemy of emancipation. The classes which owe their liberty to this have hailed it with the same enthusiasm as that class on which it imposed heavy sacrifices. That is a testimony which our sovereign has been the first to bear to the territorial nobility, and I believe that in that circle, which unites intelligence and interest, no voice will be raised to contradict my words. I have no need to dwell on the manifestations of sympathy between the two countries. They break out openly. It is one of the most interesting facts of our epoch—a fact which creates between the two peoples—I will permit myself to say between two continents—germs of reciprocal goodwill and friendship, which will bear fruit, which create traditions, and which tend to consolidate between them relations based on a true spirit of Christian civilization. This understanding does not rest on geographical proximity. The abyss of sea separates us. No more does it rest on parchment—I do not find the trace of a single parchment in the archives of the ministry intrusted to me. It is instinctive; more, I dare call it providential. I felicitate myself on this understanding. I have faith in its duration. In my political situation all my cares will tend to consolidate it. I say cares, and not efforts, because no efforts are required where there is a spontaneous and reciprocal attraction. Another motive which induces me to proclaim my appreciation of this understanding is that it is neither a menace nor a danger for any one. It is not inspired by any covetousness, or any secret motive. The Almighty has given to the two countries conditions of existence where their grand internal life may suffice for them. The United States of America are invulnerable at home. That state of things does not rest only on the fact that the rampart of the ocean guarantees them from European conflicts, but on the public spirit which reigns there, and on the personal character of its citizens. America can suffer no harm but what it may do itself. We have covered with mourning the sad page of the recent times. We have seen with profound regret the struggle between the brothers of the North and the brothers of the South; but we have always had faith in the final triumph of the Union, and we hope for the durable consolidation of it from the efforts of the actual President, whose system, inspired at once with firmness and moderation, has all our sympathies. In this relation, gentlemen, I allow myself to find, also, a certain analogy between the two countries. Russia, by its geographical position, may be drawn into European complications. The chances of war may cause us to submit to reverses. Nevertheless, I think that the same invulnerability exists equally in Russia, and that it will be manifested every time the dignity and honor of the country are seriously menaced; for then, as in all the crises of our history, the true power of Russia will make itself seen. It does not rest only on its territorial extent or on the figure of its population. It results from the close and indissoluble bond which unites the sovereign to the nation, and which places in his hands all the material and intellectual forces of the country, as it concentrates on him now all the sentiments of affection and devotion.

The Emperor, in acknowledgment of the American address, sent the following letter to President Johnson:



PETERHOF, August 17, 1866.

*His Majesty the Emperor of Russia, to the President of the United States of America :*

I have received, from the hands of Mr. Fox, the resolution of the Congress of the United States of America, on the occasion of the providential grace of which I have been the object. That mark of sympathy has moved me sensibly. It is not alone personal. It attests once more the sentiments that bind the American nation to that of Russia. The two peoples have no injuries to remember, but only good relations under all circumstances. Proofs of mutual benevolence are added. These cordial relations are as conducive to their interests, as to the good of civilization and humanity, and answer the designs of Divine Providence, whose will is peace and concord among all nations. It gives me a lively pleasure to see these ties constantly strengthened more and more. I have imparted my sentiments to Mr. Fox. I pray you to be my interpreter to Congress, and the American people whom it represents. Tell them how much I appreciate, and with me the whole of Russia, the testimonies of friendship they have given me, and how happy I will be to see the American nation grow in strength and prosperity, by the union and constant practice of civil virtues that distinguish it. Accept, at the same time, the assurance of the high consideration with which I am your good friend,

ALEXANDER.

The war and progress of Russia in Central Asia continued to attract much attention. The English and Russian accounts widely, and, in some points, irreconcilably differ. The English government in India in September, 1865, stationed several native agents in Cabul, Bokhara, and other places, to obtain trustworthy information. Two of these agents returned at the close of the year 1866, with information which substantially confirmed the account published by Russia herself of her progress. The main points are these :

Bokhara was alarmed at the seizure by Russia of a large part of Khokand, to which she laid claim. At the beginning of the year the people were excited by the declaration of a religious war against the Russians in February, and the Ameer put the Russian envoys in Bokhara not only in prison, but in irons. Thereupon General Romanovsky advanced as far as Juzak, where he suffered a defeat. This he subsequently avenged by a complete victory at Irdjar, and the assault and capture of Khojend. Bokhara sued for peace, and was offered reasonable terms, which were rejected. In October last, accordingly, General Kryjanovsky advanced against Oratippa, a large town to the southwest of Khojend, and took it by storm. The Ameer then fell back on Samercand, but seems to have risked another great battle near Juzak.

On the operations against Juzak and the subsequent events, the following account is given in the *Times*, of India :

The latest authentic intelligence from Russian Turkestan is to the effect that, after the capture of Oratippa, the Russians advanced to Juzak, the scene of General Tcherniayeff's discomfiture last February. They found the city freshly fortified, and defended by the Ameer's best troops. After a five days' siege, this, the last of the King of Bokhara's strongholds in the valley of the Jaxartes, was taken by storm on October 30th. Most of the besieged were killed or taken prisoners—few escaped. The Russian trophies were twenty-six flags, fifty-three guns, and a quantity of valuable booty ; their loss, one hundred men, including four officers wounded. Shortly afterward the King of Bokhara is said to have implored peace, and General Kryjanovski, the Governor-General of

Orenburg, considering the king sufficiently chastised, returned to the headquarters of his government, and on the 26th of November telegraphed to St. Petersburg as follows : "The province of Turkestan is perfectly quiet. The war with Bokhara, as far as we are concerned, is over—I hope for long—if only the Ameer will not himself renew it. Amicable relations are established with Khokand. Trade is everywhere reopened. A great many caravans are passing from Bokhara and back. The troops ordered temporarily to the province of Turkestan from Western Siberia, are returning to their former quarters."

The inhabitants of the large and important city of Tashkend, which had been occupied in 1865 (*see ANNUAL CYCLOPEDIA for 1865*, p. 752), petitioned the Russian Government to be permanently incorporated with the Russian empire. Their request was complied with, and on the 9th of September the Aide-de-Camp General Kryjanovsky received the oath of the inhabitants of Tashkend as being subjects of Russia, and, in conformity with the instructions of his Majesty the Emperor, read to them the following proclamation :

*Inhabitants of Tashkend*.—His Majesty the Emperor of all the Russias, convinced by your good conduct of the sincerity of the wishes you have expressed on several occasions of being admitted among the subjects of Russia, has deigned to authorize me to receive you as Russian subjects if you address me again a request to that effect on my arrival at Tashkend. On the very day of my arrival in your town (on the 29th of August), in receiving me according to the Russian custom, with the offering of bread and salt, you have renewed once more in your address the same instant prayer to be admitted among the subjects of the White Tsar, and to unite for ever Tashkend with the powerful empire of Russia as an incontestable part of its possessions. With the supreme assent I fulfil your wish, and in the name of his imperial majesty I declare you to be Russian subjects. Henceforth and forever you pass under the powerful sceptre of the Emperor of Russia, and you acquire all the rights granted to the Mussulman subjects of the empire. Convinced, from your reiterated manifestations, that you have been able to completely appreciate the advantages of the subjection to Russia, who, by leaving you your religion and your customs, protects you entirely against all disorders and vexations from abroad and at home, I am sure that you will conscientiously and eagerly fulfil all your duties of faithful subjects, and therefore show yourselves forever worthy of the high sovereign favor which you are honored with this day.

The Governor-General of Orenburg, Aide-de-Camp General.

KRYJANOVSKY.

TASHKEND, August 27 (September 8).

This proclamation was read twice in the principal square of Tashkend, in presence of General Kryjanovsky, and a numerous crowd of inhabitants. After the reading of the proclamation, the governor-general complimented the people on their being Russian subjects, and then received the oath of allegiance in the mehkémé, from all the functionaries of the town of Tashkend and other towns. Then the inhabitants of Tashkend requested the Aide-de-Camp General Kryjanovsky to forward to his Majesty the Emperor the following address :

Having received with an inmost joy the very gracious proclamation of your excellency, declaring our admission among the subjects of the powerful



White Tsar, and our union with the empire—glorifying in that happiness in presence of the other Musulman peoples, our neighbors, we all, from the highest to the humblest, take the liberty of begging your excellency to lay at the foot of his imperial majesty the sincere expression of our gratitude, for a grace so great, and to us invaluable. We and our children hold as a sacred duty sincerely to be faithful subjects, and to pray eternally God, to keep in good health the White Tsar, as the father of his children, and for all the Russians who have assisted us in obtaining that happiness, and delivered us for ever from the enemies who surrounded us. The first day of the month Zumdoul Oval (September), of the year 1283 (of the Hegira).

On September 11th, the first stone of an orthodox Greek temple was laid down at Tashkend, and the ceremony was followed by a national *fête*, at which about thirty thousand Sarkes and Kirghizes assisted. According to the national custom the *fête* began with horse-racing: popular games followed, and the day was finished by a meal offered to the whole population.

In August, a fresh insurrection occurred among some mountain tribes of the Caucasus, who concentrated to the north and south of Darbend, but it was totally suppressed after a few weeks. According to the *Invalide Russe*, the disturbances were caused by the circulation among the mountaineers of false reports set afloat in connection with the statistics relative to the abolition of serfdom, which were being collected at the time by the Russian authorities. It is interesting to learn in this connection that the old leader of the Caucasians against Russia, Schamyl, has, according to Russian accounts, become an ardent admirer and partisan of Russian rule. A St. Petersburg paper gives the following account of an interview between Schamyl and the Emperor:

After the usual salutations had been exchanged, Schamyl, assuming the humble attitude of an eastern petitioner, addressed the following words to the Emperor in Arabic: "Sire, permit me to offer my sincere felicitations on the occasion of the happy event which has brought me to St. Petersburg and your Majesty's palace. Sire, old Schamyl need not again profess his devotion to the sacred person of your Majesty, to your sublime throne, and the noble empire of which you are the chief. Long before proclaiming my legal sentiments by a solemn act performed in the sight of heaven, I was already your subject in heart and conviction. Not only gratitude for your Majesty's magnanimity toward one who was your enemy, but also—I proclaim it again and again—a sincere and deliberate conviction compels me to be your subject. If there be a man upon earth worthy to represent God Almighty, that man, sire, is yourself. If there be a throne grounded upon the hearts of men, that throne is yours. Sire, I wish it to be known everywhere that if old Schamyl of Daghestan, who fought against your arms for thirty years, experiences a regret at the decline of his days, it is only because he cannot be born again to devote his whole life to the service of your empire." The Emperor graciously thanked Schamyl for the sentiments expressed by him. "I know," said his Majesty, "you are loyal. I know you are an upright man. I accept your wishes, being certain that they come from the depth of your heart." Schamyl then, turning to the Empress, delivered the following enthusiastic speech: "Madame, while presenting my respects to your Majesty, I am happy to

be able to call you my noble and gracious sovereign. I am proud of having been allowed my share of joy in the midst of the great family of Russia. May your heart be delighted in looking upon the charming lady now your daughter. Madame, we love her with the power of memory and hope combined." Her Majesty thanked Schamyl for his wishes, and assured him that she accepted them as another proof of his affectionate sentiments. Toward the end of the audience, his Majesty alluded to another son of Schamyl, Mohammed Shafih, who serves in the Caucasian escort of the Emperor. "I regret," were the words of the Emperor, "that your health did not permit you to mount a horse on the day of the parade. It would have given me pleasure to see you there, and you, I am sure, would have been happy to see your son, with whose conduct I am well satisfied, in the ranks of my army." Schamyl acknowledged these remarks of his Majesty in the following terms: "My son is my representative in my old age. In the person of this young man Schamyl himself serves your Majesty. May he have long years to devote to your Majesty's service instead of his old father." In reply to his Majesty remarking that he recognized the sword Schamyl wore, the latter said: "Sire, I have not kept any of my former arms. The only sword which I possess, the only one which I wear, and shall wear, is the sword you have given me. This sword belongs to the Emperor." His Majesty then desired Schamyl to be present at all the festivities. At the moment of dismissing his venerable visitor, his Majesty shook hands with him. Schamyl, overpowered with his feelings, caught hold of the Emperor's arm and prostrated himself before him. The Emperor raised him, and left the apartment. On the same day Schamyl was also presented to the Crown Prince of Prussia and Grand Duke Michael.

According to an official return, there were at the close of the year 1866 no fewer than 3,965,410 peasants in Russia still "under obligation," while the number of those who have been freed from their obligations up to that date is 5,810,607. Emancipation has been effected by private contract in the cases of 532,000 peasants only out of nearly 6,000,000—the Government having been obliged to interfere in all the other cases.

The Russian Government again took some very decided measures for the Russification of the Poles. According to an imperial ukase, promulgated on January 1, 1866, all individuals of Polish descent were prohibited from acquiring landed property in the nine western governments of Russia otherwise than by inheritance. Polish proprietors of estates, however, not in any way implicated in the insurrection, would not be compelled to sell their landed property. This ukase was not applicable to the kingdom of Poland.

By a circular of August 28th, the Governor-General of Wilna notified the officers of the Government under his jurisdiction that he had opened at Wilna "a special office for the introduction of Russian proprietors into the provinces of the West." The business of this office would consist—first, in the transfer of property to persons of Russian origin; second, in the compulsory sale within two years of the properties comprised in the ukase of September 22, 1865; third, in the sale and letting of confiscated estates, and the property of the State;



fourth, in the colonizing of the State property with Russian peasants and soldiers who have passed through their term of service.

For the purpose of promoting Russification in Poland Proper, the committee of administration at Warsaw resolved upon the following measures: 1. To convert the Polish schools of Marianopol into Russian establishments, where the Russian language alone shall be used. 2. To establish a class for instructing Russian infant-school teachers at the College of Bielsk for the Greek population. 3. To convert the Polish school of Siedlec into a Russian one. 4. To establish a Russian one at Zamosc. 5. To convert the Polish school of Krubieszow into Russian. 6. To order the use of the Russian language only in the two schools for boys and girls at Sulwalki. 7. To organize in the kingdom of Poland mixed schools for the Jewish population, in which the instruction shall be in the Russian language. 8. To convert the two schools of Lublin and those of Zomza, Praga, and Warsaw, into mixed ones. 9. To introduce the Russian language for all branches of teaching in the Jews' infant schools. In August an imperial ordinance decreed that the official correspondence with the central authorities in future be carried on in the Russian, and not in the Polish language.

The Polish exiles in Siberia, in August, organized an insurrection, under the leadership of Dombrowski. The insurgents, according to the *Moscow Gazette*, were well organized. There were the *cadres* of five regiments, each regiment having its camp, its arms, its powder, and scythemen, armed with scythes, which were not at all like those used in the last Polish insurrection, but which had been specially made; in short, the organization could not be better. Revolutionary proclamations were found on Dombrowski, as well as a considerable correspondence with all parts of Russia and Siberia. The movement was, however, promptly and easily suppressed.

An imperial ukase, issued on December 8th, states that the relations of Russia with Rome having been broken off, and the convention of 1857 with the Holy See, and all other arrangements with the Roman Catholic Church having consequently lost their value, the affairs relating to the Catholics in Russia are again to be placed under the direction of the authorities, who, in accordance with the existing laws, are intrusted with the control of the public worship in Russia and Poland.

**RUSSIAN AMERICA.** The tract of land thus designated comprehends all that portion of the North American coast and the adjacent islands which are situated north of the parallel of  $54^{\circ} 40'$  north latitude, and all of the mainland west of the meridian of  $141^{\circ}$  west longitude. It is bounded north by the Arctic Ocean, east by British America, south by the Pacific, and west by the Pacific and Arctic Oceans, and Behring's Strait, which separate it from the Russian possessions in Asia, the distance across

from Cape Prince of Wales to East Cape being only thirty-six miles. With the exception of the narrow strip extending in a southeast direction along the coast nearly four hundred miles, and the Peninsula of Alaska, it forms a rather compact mass, with an average length and breadth of about six hundred miles each. Its greatest length north and south, from the southern extremity of Alaska to Point Barrow, is about one thousand one hundred miles; greatest breadth, measured on the Arctic Circle, which passes through Cape Prince of Wales, is about eight hundred miles; the longest line that can be drawn across the country, is from Cape Prince of Wales to its southern extremity, latitude  $54^{\circ} 40'$ , a distance of about one thousand six hundred miles. Estimated area, 394,000 square miles. The part of the mainland south of Mount St. Elias consists of a narrow belt, which is continued along a mountain ridge parallel to the coast, and has nowhere a greater width than about thirty-three miles.

The discovery of the northern coast is of recent date. Captain Cook, in 1778, during his last voyage, reached Icy Cape, latitude  $70^{\circ} 20'$  north, and longitude  $160^{\circ} 46'$  west; and it was supposed, from the large masses of ice there met with, even in summer, that farther progress was impossible. In 1826, however, Captain Beechy proceeded east as far as North Cape, or Point Barrow, latitude  $71^{\circ} 23' 31''$  north, longitude  $156^{\circ} 21' 32''$  west; while at the same time Sir John Franklin, then Captain Franklin, traced the coast west from the mouth of the Mackenzie to Return Reef, latitude  $70^{\circ} 26'$  north, longitude  $148^{\circ} 52'$  west. The intervening space between Point Barrow and Return Reef was first explored in 1837, by Dease and Simpson, officers of the Hudson's Bay Company.

Commencing at  $54^{\circ} 40'$  north latitude on the Pacific, the mainland is marked by a succession of islands to the Peninsula of Alaska, so that open boats or small river steamers can navigate safely between the islands and the mainland. Many of these islands are covered with splendid timber, and the waters abound in fish. The coast of the mainland is also densely timbered.

The first river of any importance that enters the sea in Russian America is the Steeken, or St. Francis, in about  $56^{\circ}$  of north latitude. This river has been followed by exploring parties to the cascades, where it breaks through the coast range of mountains dividing British Columbia from Russian America. It is found navigable for boats fifty miles. After passing the cascades it again becomes navigable for some distance toward the Rocky Mountains. Game and fish are abundant, timber good, and gold mining has already been commenced by a party of Americans. Natives are quite numerous during the fishing season, and are reported friendly, and anxious to trade for merchandise.

There are many small rivers along the coast, and passes over the mountains into the British possessions, and parties of natives trade with the interior tribes more to the east and



north by following the source of these streams, thus arriving in the valley between the coast range and the Rocky Mountains. The next river of any importance is the Copper Mine, which enters the sea in view of Mount St. Elias, in about  $60^{\circ}$  north latitude and  $142^{\circ}$  west longitude. This river is of importance in consequence of its location and the access it gives to the interior, as it unites by a lake the waters of the Yukon within Russian territory, giving almost uninterrupted navigation from the coast on the Pacific, by way of the Yukon and Knitchpek, to Behring's Sea. Next comes Cook's Inlet, and a river entering into it, which the Russian American Company use, in connection with the Kuskovime to reach the Knitchpek and Fort St. Michael.

After passing the Peninsula of Alaska there is a considerable stream entering into Bristol Bay. This stream, by a system of lakes, is said to connect with Cook's Inlet. Next comes the Kuskovime, a river of considerable magnitude and of importance to the country in giving access to the interior.

The most important and chief of all the rivers west of the Rocky Mountains and north of  $49^{\circ}$  north latitude is the great Knitchpek, which enters into Behring's Sea between  $64^{\circ}$  and  $65^{\circ}$  north latitude, by several mouths, and on the meridian of  $165^{\circ}$  west longitude. This great river, it is said by Mr. Collins, of the Russian Telegraph Company, has an easterly course for some five degrees, then bends abruptly to the north some four degrees, thence nearly east to a point not far distant from the British frontier, where it receives the Porcupine or Rat River, from the northeast, and the Yukon from the southeast; the junction of these two rivers forms the Knitchpek; it is navigable to the sea, a distance of one thousand miles for steamboats. This river had never been seen by white men in its whole course previous to explorations for the construction of the Russian-American Telegraph; but the explorations place the Knitchpek at the head of all rivers on the northwest coast north of  $49^{\circ}$ .

North through Behring's Strait and the Arctic Ocean is Kotzebue Sound, which is fed by a considerable river, on which is a large population; here are found, as on the coast of Arctic Siberia, extensive deposits of animal remains.

Further east there are many bays and sounds, and beyond Point Barrow the Colville River enters Garrison Bay. This river has its main course to the south, and the natives report it navigable and inhabited from a point not far from the northern bend of the Knitchpek to the sea.

The climate of the country is not so cold as the eastern parts of the continent, or the eastern part of Asia, under the same latitude. It is, however, far too severe to admit of agricultural operations. The animals are the sea otter, river otter, sable, furred seal, mink, black, grey, and red foxes, red deer and reindeer. The fish, in which the waters abound, are the her-

ring, salmon, and cod. Iron ore, gold, and coal, are found in considerable quantities. The population consists of five or six thousand Russians and fifty or sixty thousand Esquimaux Indians, who inhabit the coast on the Northern Sea, and live by fishing and hunting.

This extensive territory was granted to a Russian-American fur company by a charter from the Emperor Paul VIII., in July, 1799, with power to occupy and bring under the dominion of Russia all territories north or south of fifty-five degrees not previously occupied by another nation. The charter of the company was renewed in 1839, when it had thirty-six hunting and fishing establishments.

New Archangel, the principal post, is situated on the island of Sitka, in latitude  $57^{\circ} 30'$ , and longitude  $135^{\circ} 13'$ . It was founded in 1805, and is a military station and the chief post of the company. A Greek bishop, with several priests and deacons, resides here, and also a Lutheran minister; and there are schools for the children of Europeans and half-breeds. Subordinate to Sitka there is a smaller establishment of the same kind at Alaska, which supplies the posts on Bristol Bay and Cook's Inlet, which are all connected with minor anterior stations. Another station in Norton Sound has its own inland dependencies. The company has also permanent forts or flying posts, in the Aleutian and Kurile islands, and a chain of agencies from Okhotsk, in Kamtschatka, to St. Petersburg, for the transmission of merchandise, etc. The company's trade is considerable, supplying not only Russia with furs, but also the markets of China, through Kiachta, on the Tartar frontier. The annual export is estimated at 10,000 seal, 1,000 sea otter, 12,000 beaver, and 2,500 land otter, fox and marten skins, and about 20,000 sea-horse teeth.

During the Crimean war, a British force sailed quietly and cautiously from the Chinese waters, with the hope of surprising these possessions of the Czar and taking possession of the country. But the Russian Admiral in command was so well prepared off Petropauloviski as completely to defeat the British fleet, and caused its commander, through mortification, to commit suicide. A recent treaty between the United States and Russia has been made for the purchase of this territory by the former power.

RUTHERFORD, Colonel JOHN, formerly acting governor of Virginia, born in Richmond in 1794; died there August 3, 1866. He graduated at Princeton College, N. J., studied law, and was admitted to the bar in Richmond, where he soon distinguished himself for his talents. Becoming quite popular he was elected a representative in the Virginia General Assembly, and was reelected for twelve successive years. He was subsequently chosen to the Executive Council, and discharged the duties of governor, in virtue of his office of lieutenant-governor, with much honor and credit. He was a mem-



ber of the Executive Council for fourteen years. In 1836 he was elected principal agent, which in effect was president, of the Mutual Assurance Society of Virginia, the oldest institution of the kind in the State, being one of the few companies which survived the war. He was the

originator of the Richmond Fayette Artillery, which he commanded for several years. For a long time he was a member of the executive committee of the Democratic party. He was a man of well-balanced intellect and strict integrity of character.

## S

**SAN DOMINGO**, or **THE DOMINICAN REPUBLIC**, a State of the West Indies, comprising the eastern portion of the Island of Hayti. Area, 22,000 square miles; population, about 200,000. President Baez, who, on November 14th, had been elected, and on December 8th installed as President, was, in June, deprived of his office by a successful revolution, under the leadership of General Pimental, and fled to St. Thomas. On September 29th General Cabral was elected President. In January Mr. Seward visited San Domingo, and on January 14th he had an interview with President Baez at the national palace. Mr. Seward stated that he had no doubt the Government of the United States would recognize the Dominican Republic. The United States, he said, regarded the neighboring republics, founded, like that of the United States, upon the principle of the equal rights of man, as outward buttresses, which it was in the interest of the American people and Government to multiply and to strengthen as fast as it could be done without the exercise of fraud or force.

**SAN SALVADOR.** (*See CENTRAL AMERICA.*)

**SAXE**, the name of one grand-duchy and three duchies in Germany. Reigning princes, Grand-duke Charles Albert, of Saxe-Weimar, born June 24, 1818; succeeded his father July 8, 1853: Duke George II., of Saxe-Meiningen, born April 2, 1826; succeeded his father September 20, 1866: Duke Ernest I., of Saxe-Altenburg, born September 16, 1826; succeeded his father August 3, 1853: Duke Ernest II., of Saxe-Coburg-Gotha, born June 21, 1844. Area, population, and contingent to the army of the old German Confederation, are as follows:

	English square miles.	Population.	Contingent.
Saxe Weimar.....	1,421	280,201	3,015
"  Meiningen.....	933	178,065	2,110
"  Altenburg.....	509	141,839	1,473
"  Coburg-Gotha...	816	164,527	2,046

During the German-Italian war, Weimar, Altenburg, and Coburg-Gotha, took sides with Prussia, and Saxe-Meiningen with Austria. The Duke of Saxe-Meiningen abdicated in September, as he was unwilling to yield to the demands of Prussia concerning the entrance of Meiningen into the North German Confederation. His son and successor joined the North German Confederation, in common with the Grand-duke of Saxe-Weimar, and the Dukes of Saxe-Altenburg and Saxe-Coburg-Gotha.

**SAXONY**,\* a kingdom in Germany. King John I., born December 12, 1801; succeeded his brother, Frederick Augustus II., on August 9, 1854. Area, 6,777 square miles; population in 1864, 2,343,994. The capital, Dresden, had 145,728, and Leipsic 85,394 inhabitants. The annual revenue is estimated in the budget for the financial period of 1864 to 1866 at 13,658,984 thalers; the annual expenditures at 13,648,984 thalers. The Saxon army numbers 25,396 men. In the war between Prussia and Austria, Saxony took sides with Austria. When the Prussians invaded and occupied Saxony, the Saxon army retreated into Bohemia, and therefore coöperated with the Austrian army. After the war Saxony concluded a peace with Prussia, in virtue of which she now belongs to the North German Confederation.

**SCHAUMBURG-LIPPE**, a German principality. Prince, Adolf, born August 1, 1817; succeeded his father November 21, 1860. Area, 212 square miles. Population, in 1864, 31,382. In the old German Confederation this principality furnished a contingent of 516 men. At the sitting of the Federal Diet, on June 14th, on the motion of Austria to mobilize the Federal army, the vote of Schaumburg-Lippe was cast for the motion; but the Government promptly disowned the vote of its representatives, and sided with Prussia. After the war the principality entered the North German Confederation.

**SCHLESWIG-HOLSTEIN**, two duchies, formerly united to the kingdom of Denmark, but made over, by the treaty of Vienna, signed October 30, 1864, to the Emperor of Austria and the King of Prussia. By the treaty of Prague, concluded between Prussia and Austria, on August 23, 1866, the Emperor of Austria ceded his claims to the King of Prussia. It was, however, provided that the northern districts of Schleswig should be ceded to Denmark if the people of those districts should by a plébiscite decide in favor of annexation to the latter power.—The Prussian Government submitted to the Prussian Diet a bill for the annexation of the two duchies, which was adopted by the Diet, and the Government consequently issued a decree of annexation. The plébiscite in the northern districts had not yet taken place at the end of the year. The two duchies will, under their former name, be reorganized and changed into

\* For a statement of the constitution and the latest religious statistics, see *ANNUAL CYCLOPÆDIA* for 1865.



a Prussian province. The area and population were, according to the census of 1864, as follows :

	Square miles.	Population.
Schleswig.....	3,704	406,486
Holstein.....	3,255	554,510

SCHWARZBURG, the name of two German principalities. Reigning princes, Günther, Prince of Schwarzburg-Sondershausen, born September 24, 1801; succeeded his father, August 19, 1835; and Günthe, Prince of Schwarzburg-Rudolstadt, born November 6, 1793; succeeded his father April 28, 1807. The area, population, and the contingents to the Federal army of the old German Confederation, were as follows :

	Square miles.	Pop'n.	Cong't.
Schwarzburg-Sondershausen..	318	66,189	826
Schwarzburg-Rudolstadt.....	340	73,752	989

Nearly all the inhabitants profess the Lutheran religion. Both the duchies, in the German-Italian war, took sides with Prussia, and after the war joined the North German Confederation.

SCOTT, Brevet Lieut.-General, WINFIELD, LL.D., a commanding officer in the U. S. Army, born in Petersburg, Va., June 13, 1786; died at West Point, N. Y., May 29, 1866. His grandfather was a Scotchman of the family of Buccleuch, and escaped with difficulty to America, after having fought for the Pretender at Culloden. After spending two years in William and Mary College, he studied law, was admitted to the bar in 1806, and the following year went to Charleston with the intention of settling there, but before he had fairly entered upon the practice of his profession, Congress, in view of imminent hostilities with England, passed a bill to enlarge the army, and he obtained a commission as captain of light artillery, and entered upon his career as a soldier. Recruiting a company, he was stationed at Baton Rouge, La., in the division commanded by Gen. Wilkinson, who in the next year was superseded, and the young captain then expressed what was the general opinion, namely, that his late commander was implicated in Burr's conspiracy. For this he was tried by court-martial, and sentenced to one year's suspension from rank and pay, which period he employed in the diligent study of works on military art. War having been declared against Great Britain in June, 1812, Captain Scott was made a lieutenant-colonel in the second artillery the following month, and was stationed at Black Rock with two companies of his regiment. Taking part in the battle of Queenstown Heights, the field was at first won under his direction; but it was finally lost, and himself and his command taken prisoners, from the refusal of the troops at Lewiston to cross to their assistance. One of the exciting causes of the war was the claim of the British Government to the right of impressing seamen into its service, and acting upon this the British officers selected from the American soldiers such as appeared to be Irishmen, with the avowed intention of sending them to England

to be punished for treason. Scott threatened the retaliation of his government, and caused an equal number of British prisoners to be set aside for a like fate with the others. Exchanged in January, 1813, he immediately made a report of the matter to the Secretary of War, resulting in the passage of an act investing the President of the United States with "the power of retaliation." Immediately after the capture of York, Upper Canada, Scott rejoined the army on the frontier as adjutant to Gen. Dearborn, with the rank of colonel. He took part in the expedition against Fort George; landed his men in good order, and scaled a steep height in the presence of the enemy, carrying the position at the point of the bayonet. Fort George was no longer tenable, and the British abandoned it after placing slow matches at the magazines, one of which exploded, hurling a piece of timber against the colonel while in his saddle, and injuring his left shoulder severely. Two officers snatched away the matches from the other magazines, and Col. Scott hauled down the British flag. The wound in his shoulder was protracted in its recovery and left his arm partially disabled. He served well in Wilkinson's campaign, was made a brigadier-general in March, 1814, and immediately thereafter established a camp of instruction at Buffalo, where his own and other officers were drilled into thorough and accurate discipline. He now served a vigorous and brilliant campaign, being present at the taking of Fort Erie, winning the battle of Chippewa, and doing good service at Lundy's Lane, where he was twice severely wounded. These two engagements established the *prestige* of our arms, and were fraught with great results to our country. For his gallant conduct Scott was brevetted major-general, his commission dating July 25th, 1814, the day of the battle of Lundy's Lane. He also received a gold medal from Congress, and was tendered a position in the cabinet as Secretary of War, which he declined. After assisting in the reduction of the army to a peace basis, he went to Europe by order of the Government in a military and diplomatic capacity, and for the restoration of his health. He returned home in 1816, and in March of the following year was married to Miss Maria Mayo, daughter of John Mayo, Esq., of Richmond, Va. He led the troops in the Black Hawk War of 1832, and the latter part of the same year went south to command the national troops at Charleston and elsewhere, during the nullification excitement, where his prudence, tact, and discretion, saved the country from what seemed the inevitable danger of intestinal war. In 1835 he was ordered to Florida, but recalled and employed in the Creek war, and afterward sent before a court of inquiry, but dismissed with honor. In the frontier troubles connected with the Canadian rebellion of 1837, and subsequently with the disputes two years later on the northeastern boundary line, and with the removal of the Cherokees from Georgia in 1838, General Scott



was efficient, conciliating, and useful, as an officer and negotiator.

In 1840 he was presented as the Whig candidate for the presidency, but declined in favor of General Harrison. In 1841, upon the death of General Macomb, General Scott was placed at the head of the army as general-in-chief, with full rank as major-general. Upon the outbreak of the war with Mexico, he was ordered thither. The battles of Palo Alto, Resaca de la Palma, and Monterey, having been fought, he took the field in time for the projected capture of Vera Cruz, which he invested, with twelve thousand men, March 12, 1847, commencing the bombardment on the 22d. On the 26th overtures of surrender were made, and ten days later the army, eight thousand strong, moved on to Mexico; defeated the Mexican army of fifteen thousand, under General Santa Anna, at Cerro Gordo, April 18th; entered Jalapa the day after; occupied the strong castle and town of La Perote on the 22d, and the city of Puebla, May 15th, having taken ten thousand prisoners of war, ten thousand stand of arms, seven hundred cannon, and thirty thousand shells and shot. Here he was detained for some time, and his army, reduced to four thousand five hundred, was reinforced to the number of ten thousand, and moved forward for Mexico. Contreras, San Antonio, and Churubusco, strong fortifications, were each taken, in turn, at the point of the bayonet. But the castle of Chapultepec, the seat of the military college, still lay before them, and must fall ere the City of Mexico could be taken. Molino del Rey and Casa de Mata, dependencies of Chapultepec, were carried by assault on September 8th, and, after a determined siege of several days, a breach was finally effected in the strong walls of the military college, and the following night Santa Anna marched out with the small remnant of his army, and the city was at the mercy of Scott. Early on the morning of the 14th he entered the City of Mexico, at the head of six thousand men. This virtually ended the war. A contribution was levied on the city of \$150,000 for the army, two-thirds of which the general remitted to the United States to found military asylums, and the order which followed the establishment of peace rendered the presence of the American army a blessing to the country. The treaty of Guadalupe Hidalgo was signed March 2, 1848, and Mexico was soon after evacuated by the conquering army. Upon his return to this country, General Scott submitted to a trial before a court of inquiry on technical charges. This trial came to nothing, and the honors bestowed upon the successful commander by his country were numerous and enthusiastic, and included a vote of thanks by Congress. In 1848 General Scott was again a candidate for the Whig nomination, and in 1852 was nominated, and defeated by General Franklin Pierce. In February, 1855, he was brevetted lieutenant-general, to take rank from March 29, 1847, in commemoration of his bravery in

Mexico. In 1859 serious differences arose in regard to the boundary line between the United States and British America, involving a disputed military possession, and which he happily adjusted. The late war found him still in command of the army, and every inducement was offered him by the South to join their cause; but his loyalty was proof against them, and he threw the weight of his well-earned reputation on the side of the Government. In reply to an offer of a command, through a commissioner from Virginia, he said: "I have served my country under the flag of the Union for more than fifty years, and, so long as God permits me to live, I will defend that flag with my sword, even if my own native State assails it." During the early part of the civil war, General Scott was much in consultation with government, and did his best to perform his official duties as general-in-chief, but he was now too infirm for so colossal a charge, and on October 31, 1861, he retired from office, retaining, by special act of Congress, his pay and allowances. In the succeeding month he sailed for Europe on a tour for his health, but soon returned, in consequence of the danger of war consequent upon the Trent difficulty, intent to prevent it. His departure was not unexpected, as for some time previous the powers of his mind and body had been failing. He was the author of several valuable military works, among which are, "General Regulations for the Army" (1825), "Infantry Tactics," taken from the French (1835), and some other contributions in different departments of letters, the most important of which was his "Autobiography," in two volumes, published in 1864. General Scott was a man of majestic, almost gigantic, and symmetrical physique, and great personal strength and endurance. His manners were courteous and dignified, sometimes even to stiffness. He was a gentleman of the purest honor and most stainless character. As a general, he was at once prudent and enterprising, never sparing his own person in the field, careful of the health and comfort of his men, ready and eager for every duty, and equally thorough, faithful, and successful in field operations, and in those obscurer and less agreeable duties of organization, discipline, and drill, which make in the camp the only soldiers who can be trusted in the field. His career is a good illustration of the fallacy of the loose general notion that a great soldier seeks war and is *ex officio* a disturber of the public peace. He became, in manhood, like most other eminent commanders, strongly averse to bloodshed. His political career was unsuccessful; but it was rather to his credit than otherwise, that his simple, straightforward, soldierly mental habits rendered him an inconvenient instrument of party managers. An accomplished, faithful, brave, prompt, energetic, prudent, and successful soldier; an honorable gentleman; a good and patriotic citizen; a kindly, just, wise, and pacific negotiator, he lived most nobly and usefully,



and so linked his long life and great reputation with his country's honor that the ample observances paid by the American people at his death, both testify to his personal qualities and unite his fame with all the older glories of our arms and our American national polity.

SEATON, WILLIAM WINSTON, an American journalist, born in King William County, Va., January 11, 1785; died in Washington, D. C., June 16, 1866. He was a descendant of the Scotch Seatons, one of whom, Henry, an adherent of the fortunes of the Stuarts, came to this country a political exile toward the latter part of the seventeenth century. His mother was a cousin of Patrick Henry. He was educated at a celebrated academy in Richmond, and at the age of 18 entered the field of journalism as the assistant editor of a Richmond newspaper. He next edited the *Petersburg Republican*, but soon purchased the *North Carolina Journal*, published at Halifax, then the capital of that State. From Halifax he went to Raleigh, on its being made the capital, connected himself with the *Register*, then an influential journal, edited by Joseph Gales, senior, whose daughter he subsequently married. In 1812 he removed to Washington, founded the *National Intelligencer*, in company with his brother-in-law, Joseph Gales, junior, which partnership continued until the death of Mr. Gales in 1860. From 1812 to 1820 Messrs. Seaton and Gales were the exclusive Congressional reporters as well as editors of their journal, one taking charge of the Senate and the other of the House of Representatives, where prominent seats were officially assigned them. Their "Register of Debates" is now considered a standard authority, and the *Intelligencer* has ever been one of the leading papers of the day. Since the death of Mr. Gales, in 1860, Mr. Seaton had been the principal manager of the latter until its recent sale to its present proprietors. In 1840 he was chosen Mayor of Washington, holding that position for twelve successive years.

SPAIN, a kingdom in Europe. Queen, Isabella II., born October 10, 1830; succeeded her father on September 29, 1833. Heir-apparent, Alfonso, Prince of Asturias, born November 28, 1857. The new ministry, formed in July, 1866, is composed as follows: President and Minister of War, Marshal Ramon Maria Narvaez y Campos, Duke of Valencia; Foreign Affairs, Eusebio Calonge; Grace and Justice, Lorenzo Arrazola; Finances, Garcia Barzanalona; Interior, Luis Gonzalez Bravo; Public Works, Commerce, and Instruction, Manuel Orobio; Navy, Counter-Admiral J. G. Rubalvada; Colonies, Alejandro Castro. The area of Spain, inclusive of the Balearic and Canary Islands, is 182,758 square miles. The population (inclusive of the above islands and of the Spanish population in Tetuan, on the coast of Africa) was estimated, in 1864, at 16,302,625. The Spanish dominions in America (Cuba, Porto Rico, Virgin Islands) contain 2,032,065 inhabitants; those in Asia and Oceanica (the

Philippines and adjacent islands), 2,679,500; those in Africa (Presidios and Guinea Islands), 17,017; total population of Spanish colonies, 4,528,633. In the budget of the financial year 1865, the expenditures were estimated at 2,747,332,370 reals (100 reals are equal to \$4.93); the receipts at 2,749,360,290 reals. The public debt, on March 1, 1865, amounted to 16,392,747,190 reals. The army numbered, in 1866, 236,301 men; the navy, in the same year, consisted of 122 vessels, carrying 1,264 guns. The imports, in 1862, were valued at 1,679,312,703, and the exports at 1,120,532,270 reals. The merchant navy, in 1863, consisted of 4,859 vessels, carrying a burden of 395,270 tons. The movement of shipping, in 1862, was as follows:

FLAG.	ENTERED.		CLEARED.	
	Vessels.	Tons.	Vessels.	Tons.
Spanish .....	5,280	557,758	4,317	509,809
Foreign.....	5,504	1,086,400	4,811	943,771
Total.....	10,784	1,644,158	9,128	1,453,680
Coasting trade....	58,670	2,900,259	59,071	2,767,465

On January 3d a military revolt broke out at Aranjuez and Ocana, and General Prim at once placed himself at the head of the insurgents. In several other places attempts were made to gain over the soldiers, but without effect. In Madrid, Barcelona, and other large cities, the greatest excitement prevailed, and thousands appeared to be desirous to join the insurrection, but the Government succeeded in preventing an outbreak. Martial law was at once proclaimed in Madrid and the whole province of New Castile, and General Zabala pursued the insurgent soldiers, not leaving them time to collect reinforcements. On January 20th General Prim, with 600 followers, crossed the Portuguese frontier, near Barrancos, and declared his readiness to deliver up his horses and accoutrements. He was ordered, by the Portuguese Government, to leave the country. Small bands of insurgents in Catalonia and Valencia were dispersed on January 22d. The martial law proclaimed in Madrid was abolished on March 17th. On June 22d two regiments revolted in Madrid, without their officers. The barracks they occupied were, however, retaken by the troops remaining faithful to the Government, and after an obstinate resistance the insurgents surrendered at discretion. General Narvaez was slightly wounded. The insurgents had 26 guns, and furnished arms to the populace, who threw up barricades. The troops succeeded, however, in quelling the movement, and order was soon completely restored. Six hundred insurgents were taken prisoners. Simultaneously with the revolt in Madrid, some companies of troops in the garrison at Gerona belonging to the regiment of Baylen revolted, under their subaltern officers, and proceeded toward the French frontier, closely pursued by Spanish troops. They succeeded in reaching France, when they laid down their arms. In consequence of these disturbances, the minis-



try asked the Cortes to allow the guaranties afforded by the constitution to be suspended for a time, in view of the serious aspect of affairs. The demand was granted by the Cortes. A large number of the captured insurgents were shot, and the printing-offices of the progressist and democratic newspapers closed.

On July 10th the O'Donnell ministry resigned office, and were succeeded by an ultra Conservative ministry, under the presidency of Marshal Narvaez. On August 22d the Spanish frigate *Gerona* captured off Madeira the English screw-steamer *Tornado*, for carrying illicit aid to the Peruvians, and sent her to Cadiz. The captain and the crew were treated with great severity, both on their way to Cadiz and after their arrival in that city. The case led to negotiations between the English and Spanish Governments, and the law officers of the English Government expressed the opinion that the Spanish Government had no right to treat the crew as prisoners of war, much less to chain them up; that the case of the ship should be speedily settled; and, unless the suspicions of the Spanish Government could be made good, that that Government should make an apology, and be called upon for indemnification.

In December the Revolutionary Junta at Madrid issued the following proclamation to the Spanish people:

THE REVOLUTIONARY JUNTA TO ITS FELLOW-CITIZENS: Six months have elapsed since the bloody day of June 22d. If at that time the Government had been accessible to a sentiment of dignity, to the instinct of its own preservation, it would have been frightened, and would have recoiled from the consequences of this gloomy day. But this generous and unfortunate demonstration has, on the contrary, kindled the desire of the Government to gratify an old spite, to favor the secret projects of Donna Isabella II. and her courtiers. Instead of solacing the popular grief, the Government has deprived the nation of its last guaranties.

Savage courts have led hundreds of victims to sacrifice, and a woman has contemplated passively, and even with complacency, the scaffold which had been erected.

The Cortes have abjectly sold to the Government the safety of the individual, the civil rights and the wellbeing of the commonwealth. The Government has overthrown the press and the rostrum, and has intrusted the administration of the provinces to rapacious mandarins and sanguinary generals; military tribunals have despoiled the rich and transported the poor to Fernando Po and to the Philippines.

The laws of the Cortes have been replaced by decrees squandering the resources of the country by means of obscure and ruinous loans, trampling under foot right and virtue, violating homes, property, and family; and during all this time Isabella II., at Zaranz and Madrid, meditated a plot against Italy, our sister, for the benefit of the Roman curia, participating, meanwhile, in the depredations and violence of the pachas in Cuba, who, tolerating the fraudulent introduction of slaves, are outraging public sentiment both in the Old and the New World, and causing an estrangement between Spain and the great and glorious Republic of the United States.

The captain-general of Madrid ordered the police to institute a vigorous search, in order to discover the authors of the proclamation, and a number of persons were arrested, and sentenced

to be transported to Fernando Po. On December 30th a royal decree was issued, dissolving the Cortes, ordering fresh elections to take place on March 10th, and convoking the new Cortes for the 30th of that month. Several deputies having assembled in the Congress, and drawn up an address to the queen, Señors Rios Rosas, Salaverria, and a number of others, were arrested and sent out of the country.

In the war against Chili and Peru the Spanish Government seemed to be disposed to accept the mediation of France and England, but the conditions consented to by the Spanish Government were rejected by the South American republics.

On March 15th the Spanish Government signed a treaty of peace with the republics of Guatemala, Honduras, Salvador, Nicaragua, and Costa Rica, in which the independence of these republics was for the first time formally recognized by Spain.

The German-Italian war caused the Spanish and Portuguese Governments to make an agreement to act in common for the defence of their neutrality in the event of a European war.

SPARKS, JARED, LL. D., an American Unitarian clergyman, historian, and former president of Harvard University, born in Willington, Conn., May 10, 1789; died at Cambridge, Mass., March 14, 1866. In early life he had to contend with straitened circumstances, spending several years in the work of a farm and in mechanical pursuits, and it was not till he had passed the age of boyhood, that he determined upon obtaining a collegiate education. His thirst for learning was encouraged by friends, through whom he was sent to Phillips' Academy, Exeter. Diligently improving his opportunities, he entered Harvard College in 1811, and graduated in the class of 1815, having during his course spent some time teaching, besides a few months in the militia service. After studying theology in Cambridge, and holding the office of tutor of mathematics in the college for two years, he was ordained as minister of the Unitarian church in Baltimore in 1819. He entered upon the discharge of his new duties with dignity, zeal, and remarkable effect, being alone among the clergymen of that city as the advocate of Unitarian theology. Not long after, he was honored with the appointment of chaplain to Congress. He remained four years at Baltimore, performing, in addition to the common labors of his profession, a large amount of theological and literary labor, in the editorship of the *Unitarian Miscellany*, and in controversial publications, called forth by the necessity of maintaining and defending his religious views. In the year following his ordination, he published a volume entitled "Letters on the Ministry, Ritual, and Doctrine of the Protestant Episcopal Church;" and in 1823, "An Inquiry into the Comparative Moral Tendency of Trinitarian and Unitarian Doctrines." In 1822, he planned and commenced the publication of "A Collection of Essays and Tracts



in Theology," from various authors eminent for their talents, learning, and virtues, with biographical and critical notices, comprising six volumes, the last of which was published in 1826. In 1823 the impaired state of his health induced him to resign his pastoral charge and retire from the ministry. Returning to Massachusetts, he was for seven years proprietor and editor of the *North American Review*. In 1828 he published from original materials an interesting life of "John Ledyard, the American Traveller." Some years before this, in the course of inquiries undertaken for a friend connected with the university press, he had conceived the plan of preparing a full and authentic life of Washington, and of collecting from all sources, at home and abroad, the correspondence of that great man, and the official and private documents that might throw light on his public career and the history of his times. In preparation for this work, on which he spent ten years of his life, he made extensive researches in various parts of our own country, and then visited Europe and employed a year in examining the public offices in London and Paris, and taking copies of all important papers bearing on his subject. He was received with much courtesy and consideration, and through the kindness and friendship of the French minister, Guizot, as well as of the English officials, he found unexpected facilities for the accomplishment of his enterprise. The first fruits of his labors appeared in 1829-'30, in the "Diplomatic Correspondence of the American Revolution," a work in twelve volumes octavo, followed, two years after, by the "Life of Gouverneur Morris, with Selections from his Correspondence and Miscellaneous Papers," in three volumes octavo. "The American Almanac," a work of great value and various information, was also originated, and its first volume, for 1830, edited by him. He also became editor of the "Library of American Biography," of which two series were published, comprising twenty-five volumes in all, between the years 1834 and 1848, and for which several of the biographies were prepared by his own indefatigable pen. Thus, in the midst of the execution of his great and specially chosen work, he was carrying on with admirable diligence other literary labors of much interest and value. In 1834, and the three years following, he gave to the world his "Life and Writings of Washington," in twelve octavo volumes. In 1840, he completed the publication of "The Works of Benjamin Franklin, with Notes, and a Life of the Author," containing much before unpublished or uncollected matter, in ten octavo volumes. He soon after made a second journey to Europe, and, in his renewed researches among the French archives, discovered the map with the red line marked upon it, concerning which, and the use made of it in settling the question of the North-eastern boundary in 1842, there was so much debate, both in this country and in England. In 1854 appeared "Correspondence of the

American Revolution, being Letters of eminent Men to George Washington, from the Time of his taking Command of the Army to the End of his Presidency, edited from the Original Manuscripts." In 1839, Mr. Sparks was chosen McLean Professor of History in Harvard College, which office he held with distinguished credit for ten years, when he was elected president of that college, administering the duties of his position with honor to himself for three years. As an instructor, he was lucid in his expositions, firm and dignified in his manner, bringing the fruits of extensive research and large experience to the illustration of his subject. As a scholar, he was remarkable for industry, perseverance, and patient research. No degree of labor could divert him from his task. His character was a union of simplicity and unassuming dignity, and his sweetness of temper made friends of all who knew him. An accident which for a time disabled his arm, and prevented the accustomed use of his pen, disappointed his execution of a long-cherished plan of writing the "Foreign Diplomatic History of our American Revolution"—a part of a more extended work on the "History of the Revolution," for which he had made large preparation, and a considerable portion of which he left in manuscript at his death, though he had laid it aside on learning that Mr. Bancroft would occupy that field in the later volumes of his history. The evening of his days was passed in the leisurely prosecution of the literary pursuits which had been the delight of his life.

SMITH, REV. AUGUSTUS WILLIAM, LL. D., an American Methodist clergyman, author, and teacher, president for eight years of Wesleyan University, Middletown, Conn.; born in Herkimer County, N. Y., May 12, 1802; died at Annapolis, Md., of pneumonia, March 26, 1866. His early years were passed on a farm, but, having a strong desire to acquire an education, he attended the academies of his native county and qualified himself to teach, and thus acquired the means to prosecute his studies. He graduated at Hamilton College, Clinton, in 1825, and had been for a year previous one of the teachers in the Oneida Conference Seminary at Cazenovia, where he continued till 1831, being the principal of the seminary from 1828 to 1831. In the latter year he was chosen Professor of Mathematics in Wesleyan University, and continued in that chair till 1851—twenty years—when he was chosen president of the university, and presided over it till 1859. His retiring disposition had made him very unwilling to assume or retain the presidency of the university, and, in 1859, being appointed by the Government Professor of Natural Philosophy in the United States Naval Academy at Annapolis, he resigned the presidency to accept this position, and remained in it until his death. He was an excellent mathematician, and thoroughly familiar with all the applications of mathematics to science, and in his field of research had few superiors. His



administration of the affairs of the Wesleyan University was characterized by great discretion and sound judgment. He had published several valuable text-books. He received the honorary degree of LL. D. from Hamilton College in 1850.

SMITH, JOSEPH MATHER, M. D., an American physician, professor, and medical writer, born at New Rochelle, Westchester County, N. Y., March 14, 1789; died in New York City, April 22, 1866. His father, Dr. Matson Smith, was an eminent physician of Westchester County, and his mother was a descendant of the Mathers so famous in the colonial history of Massachusetts. The subject of this sketch received a very thorough English education, together with some training in the classics in the academy at New Rochelle, and at the age of fifteen came to New York and entered a store as clerk, improving all his leisure time in study. Mercantile life was not, however, to his taste, and after four years' trial he returned home and commenced the study of medicine in his father's office, devoting a portion of his time to the study of the classics, modern languages and general literature, while, as he progressed in professional knowledge, he gave attention also to the allied sciences of botany, meteorology, and chemistry. He attended the medical lectures in Columbia College during the sessions of 1809 and 1810; was licensed to practise physic and surgery in May, 1811, by the Medical Society of Westchester County, reading before the censors, at his examination, a dissertation on respiration, and in the same year settled in New York City as a practitioner, in partnership with the late Dr. William Baldwin. In 1815 he graduated M. D. at the College of Physicians and Surgeons, New York. The subject of his thesis was "Phlegmasia Dolens." About the same time he united with several of his youthful contemporaries, Mott, De Puy, Bliss, and others, in forming the New York Medico-Physiological Society, and served on the committee of publication. Under his supervision the first volume of its Transactions was published in 1817, to which he contributed a paper on the "Efficacy of Emetics in Spasmodic Diseases, with an Inquiry into the Cause of Sympathetic Vomiting;" this paper, at the time, attracted much attention, and is still referred to as an original and ingenious essay. In the same volume he also published a case of "Poisoning by Opium, successfully treated by Flagellation." In June, 1820, he was appointed visiting physician to the New York State Prison, then situated in Greenwich Street, in association with Professor Hamersley. He retained this appointment till April, 1824. In 1821 he was elected a fellow of the College of Physicians and Surgeons, New York. In the year 1824 he published his "Elements of the Etiology and Philosophy of Epidemics," a work so learned and logical, and exhibiting such profound thought and extensive research, that it attracted everywhere among the profession the greatest atten-

tion, and stamped its author at once as a man of consummate ability. The English medical journals, usually chary enough in their commendation of any thing from an American pen, were loud in their praise of this work, the *Medico-Chirurgical Review*, for July, 1825, pronouncing it "ingenious and philosophical, characterized not only by great talent and force of argument, but by candor and good faith," and as "doing great honor to transatlantic medicine." Another eminent English writer declared that it was "fifty years in advance of the medical literature of the day on its subject." More than forty years have passed since its publication, and it is still the standard authority on the subject of epidemics, and its nomenclature is now universally adopted. The extensive and profound learning displayed by Dr. Smith in this work, not only on professional topics but in general literature, led to his unsolicited appointment by the board of regents to the chair of theory and practice of physic in the College of Physicians and Surgeons in New York in the summer of 1826; and it is alike creditable to both parties, that when Dr. Smith, with a modest estimate of his own abilities, declined, in a letter to the committee of the board of regents, the appointment tendered him, mainly from the fear that the time (from July to November) would not be sufficient for him to prepare himself thoroughly for the duties of his professorship, the committee refused to accept his declination, and insisted upon confirming his appointment. The chair he was called to fill was that which had been occupied by the lamented Dr. David Hosack, one of the greatest names in American medicine; but the college did not suffer from the change. For nearly thirty years he continued to perform the duties of this professorship with a zeal, ability, punctuality, and fidelity, which made all his students his personal friends. In 1855 he was, at his own request, transferred to the chair of materia medica, the duties of which he had, for two years previously, performed conjointly with his own, and in this last position he continued till his decease.

In 1829 Dr. Smith was appointed visiting physician of the New York Hospital, and he continued to perform his duties there, to the great advantage of the patients, as well as of the numerous students who resorted thither for clinical instruction, until his decease. He had, on accepting the professorship in the College of Physicians and Surgeons, relinquished general practice, and confined himself to consultation, in which he was deservedly eminent. He was an admirable writer, and took a lively interest in the medical periodical literature of the day, frequently contributing reviews, memoirs, reports of cases, etc., and in 1828 became one of the editors of the *New York Medical and Physical Journal*. In 1831, before the appearance of cholera in this country, he delivered a learned and elaborate address on the "Epidemic Cholera of Asia and Europe," which



attracted great attention in Europe and America. It was published by and at the request of the trustees of the college, and was widely circulated by the United States Government. During the cholera epidemic of 1849 he was associated with Drs. J. B. Beck and Samuel W. Moore, as the medical council of the sanitary committee of New York City. He and his associates remained in the city, and performed the most arduous and incessant labors during the whole prevalence of the epidemic, and their public services received the approval and gratitude of their fellow-citizens. It was after his experience of this terrible disease thus acquired, that he prepared, though he was never quite ready to publish, an elaborate and extended dissertation on cholera. In 1854 he was elected president of the New York Academy of Medicine, of which body he had been an active member from its organization in 1847, and in 1850 its orator. In 1853 and in 1854 he supplied the place of his friend Dr. J. B. Beck, then hopelessly ill, in the chair of *materia medica* in the College of Physicians and Surgeons, giving the lectures of that course in addition to his own; and after the death of Dr. Beck, in 1855, he assumed the exclusive duties of that chair, relinquishing the professorship of the theory and practice of medicine, which was then, for the first time, divided into two, the professorship of pathology and practical medicine, and the professorship of physiology and microscopic anatomy, to which was added soon after a professorship of clinical medicine. His course on *materia medica*, like that on theory and practice, was marked by a thorough and extensive knowledge of the resources of the profession in the way of medicaments, and a profound consciousness that the duty of the physician was to aid nature, not to overpower her action. In 1860 he read, before the American Medical Association, his admiral report on the Medical Topography and Epidemics of the State of New York—a volume of 189 pages—a work which, had he left no other, would have been a sufficiently enduring monument to his industry, originality, and vast scope of knowledge. It completely exhausts the subject, and has met with the highest encomiums from the most eminent members of the profession. In the meteorological section of the work, to which he gave special labor and attention, Dr. Smith introduced several new and appropriate scientific terms, which have since been adopted by meteorological writers, and illustrated the climate of the State in an ingenious and original manner by maps, plates, and tables.

He had been for many years an earnest student of sanitary science, and, in 1859, was chosen vice-president of the National Quarantine and Sanitary Convention, in whose deliberations he took an active part. In 1864 he was on the organization of the council of hygiene of the Citizens' Association of New York; chosen its president, and gave to the office his most earnest attention and his highest abilities. In all

their investigations, and the preparation of their elaborate and admirable report on the sanitary condition of New York, he was consulted at every step, and much of the value of their labors is due to his wise suggestions. His connection with this council of hygiene was among the last of the public labors of this eminent scholar, physician, and philanthropist. The hot and oppressive summer of 1865, during which he had no relaxation, but rather the added duties of his position as president of the council of hygiene, had overtaxed his strength. He was past seventy-six years of age, and, though his remarkably active and abstemious habits had enabled him to maintain good health during the forty years in which he had been an active public man, the wear and tear of age was beginning to tell upon a constitution not naturally very robust. As the lecture season approached, his health was evidently failing, his appetite and strength waned, and for the first time in forty years he missed twelve lectures of his course. He rallied somewhat, and, though in great feebleness, delivered his course of lectures, but was unable to attend to practice to any considerable extent. After the close of the course his health appeared to improve for some weeks, but about the middle of April he began to fail again, and on the 19th of the month was seized with hemiplegia, and gradually sank till the 22d, when he expired.

Dr. Smith was not more celebrated for his extensive and profound learning than for his amiable, gentle, modest, and agreeable manners. His temper and language were under the most complete and absolute control. He always sought for the better traits of man's character, and could not be induced to indulge in censoriousness, or fault-finding. In his family he was genial and happy, and even at the busiest periods of his life he would devote a portion of each day to social enjoyment with them.

Among Dr. Smith's numerous published essays, addresses, and dissertations, numbering twenty-three or four, there were several not already noticed, which deserve especial mention for their ability. These were, "The Public Duties of Medical Men," an introductory lecture, delivered November 2, 1846; "The Influence of Diseases on the Intellectual and Moral Powers;" also an introductory lecture delivered October 30, 1848; "Report on Practical Medicine," submitted to the American Medical Association, 1848; "Report on Public Hygiene," submitted to the American Medical Association, May, 1850; "Illustrations of Mental Phenomena in Military Life," an anniversary discourse, delivered before the New York Academy of Medicine, November 13, 1850; "Puerperal Fever; its Causes and Modes of Propagation," prepared by request of the New York Academy of Medicine, 1857; "Therapeutics of Albuminuria," prepared at the request of the New York Academy of Medicine, 1862. He had also prepared for the press several monographs on typhus and typhoid, and yellow fevers, etc.



**SODA, BIBORATE OF.** A late report of Prof. J. D. Whitney contains an account of the region in California yielding borax, both in crystalline form and in solution in the waters of a lake and of springs. This region, said to show evidences of past volcanic action, is in the vicinity of Clear Lake, about sixty-five miles northwest of Suisun Bay, and thirty-six miles from the Pacific. A small lake lies eastward of Clear Lake, and near an arm of the latter; its waters vary in extent, and it is said sometimes to become quite dry. Dr. Veatch, in September, 1863, found the water of this lake to contain borax; and some months later an extensive bed of crystals of the same salt was discovered at the bottom of the lake, to which latter, accordingly, the name of Borax Lake has been given.

Water taken from this lake, September, 1863, as analyzed by Mr. G. E. Moore, yielded, in the gallon, 2401.56 grains of solid matters, of which about one-half was common salt, one-fourth carbonate of soda, and the remainder chiefly biborate of soda, the amount of this being 281.48 grains of the anhydrous—equivalent to 535.08 grains of the crystallized—salt. The deposit of crystalline borax lies immediately beneath the waters of the lake, and in one or several layers, being intermixed with a blue mud: its total thickness, which is variable, was in one place found to be eighteen inches. The crystals of borax vary in size from quite small to from two to three inches across; and where the crystallization has been perfect, the salt is so pure as, after mere washing, to constitute an article superior to some of the so-called refined borax of commerce. It is believed that, by use of movable coffer-dams, millions of pounds of borax may be obtained with profit from the deposit. Besides supplying the local demand, some two hundred tons are said to have been, in 1865, shipped to New York. In the neighborhood of Clear Lake also, sulphur has been found, and a spring, the waters of which contain large proportions of borax and of bicarbonate of ammonia, etc. The Borax Lake would appear to be, or otherwise to have been in the past, fed by some source of saline matters which exploration has not yet reached.

**SODA AND CHLORINE RESIDUES, UTILIZATION OF.** No more than an outline, and that scarcely complete, can here be given of the series of processes, quite complicated, and of reactions still more so, involved in even the most expeditious and effectual methods yet devised for rendering innocuous, and converting to use, the residues or otherwise waste products from the chlorine and soda manufactures. The residues are bulky, and contain matters comparatively difficult of chemical treatment; while the necessity for their transformation is such as indicated in the outset of the article on SODA, etc.; and, in default of such re-working, the proprietors have usually to pay heavy damages for the injurious effects of the leachings from the heaps. Among those

who have attempted to utilize the soda wastes are Varrentrap, Kuhlmann, Townsend and Walker, Kopp, Spencer, and Fabre; but many of the processes proposed appear to be useful only on the small scale. The practical chemist or manufacturer, interested in possessing more complete details of the methods now to be considered, is referred to an abridgment of a memoir by M. E. Kopp, appearing in the *Chemical News*, vol. xiii., p. 27, and on (1866), or to the original in the *Bulletin de la Soc. Chim.*, 1865, and also to an article by M. P. A. Fabre in *Le Technologiste*, August, 1864.

In chlorine and chloride of lime works, the materials commonly used are chlorhydric acid and the peroxide or other suitable compound of manganese. The residual liquors may be carried away in gutters to reservoirs of silicious stone or wooden vats, set at intervals at lower levels, so that the different solid matters contained may be successively deposited within these, the streams being finally received in large stone reservoirs. The limpid, yellowish-brown liquid reaching the last contains some free chlorine, much free chlorhydric acid, and in solution also perchloride of iron, mono- and sesqui-chloride of manganese, and some chlorides of barium, calcium, magnesium, and aluminium, with traces of chlorides of cobalt and nickel. Kopp's treatment of these residues is essentially by soda-waste, which he regards as principally composed of sulphide of calcium, and carbonate, with a less amount of hydrate, of lime. The waste, gradually fed into the reservoirs, is acted on by chlorhydric acid, carbonic and sulphydric acid gases being set free, but the latter being at once re-converted into chlorhydric acid, with deposit of free sulphur. The waste is added until the liquor becomes colorless and sulphydric acid gas begins to escape freely. Allowing about six hours for completion of the deposit of sulphur, the latter can then be collected; and the sulphur being washed, and in some cases afterward exposed in beds for some months to the air and rain, is finally used in the manufacture of sulphuric acid.

The liquor from which removal of sulphur has thus been effected, is then siphoned off into a separate cistern; it contains much free chlorhydric acid. This liquor is now, within an airtight chamber holding some 30,000 litres, again gradually saturated with soda-waste, being at the same time warmed with steam to about 30° C.; carbonic and sulphydric acid gases are once more evolved, but without decomposition of the latter; and the gases being made to traverse other portions of moist and warm soda-waste, the carbonic acid and water-vapor decompose sulphide of calcium, leaving carbonate of lime, and producing more sulphydric acid. The total resulting volume of gases is then conveyed into a gasometer set—to prevent its oxidation—in drainings of soda-waste.

The sulphur of the sulphydric acid gas is



best extracted by combustion, in which it may yield water-vapor and sulphurous acid gas ( $\text{HS} + 3\text{O} = \text{H}_2\text{O} + \text{SO}_2$ ), or, by properly diminishing the supply of air, into water-vapor and free sulphur ( $\text{HS} + \text{O} = \text{H}_2\text{O} + \text{S}$ ). In attempting the former conversion, as for the sulphuric-acid manufacture, the excess of air required, introducing much nitrogen into the chambers, proves a serious obstacle. It is best, therefore, to burn the sulphydric acid for free sulphur, or for sulphurous acid—the latter to be then utilized in producing hyposulphites of soda and lime, and sulphites or bisulphites of the same or of alumina. These salts have various uses in the arts, the hyposulphites being employed for destroying the effect of chlorine, as a mordant in certain cases, in the processes of photography, in the extraction of silver, etc., while by means of the hyposulphite of lime the corresponding salt of certain other bases can be formed. Methods of burning the sulphydric acid gas so as to secure at will either one of the results above stated, or so as to secure at the same time both sulphur and sulphurous acid, and also those of preparing the salts named, are indicated in M. Kopp's memoir.

The liquid residuum from which the successive extractions have been made is now nearly neutral, containing chiefly chlorides of iron, manganese, and calcium. The author runs it into cisterns, and, by using the coarse lime rejected in the manufacture of chloride of lime, precipitates the oxides of iron and manganese and a small quantity of their sulphides. After deposit of these, the liquid is quite neutral and cannot harm vegetation; while the chloride of iron still in solution deposits an insoluble iron-salt, and then only some portion of the chlorides of manganese and lime are left in the liquor. If even this liquid should not be run into a stream, the author suggests that it may be evaporated to dryness, the mixed chlorides being then fused in a reverberatory furnace. The mixture can be used as a flux in puddling iron or steel, or in improving bad cast-iron. A process is also detailed, however, for freeing the liquor of the remaining salts named, by successive reactions.

A satisfactory statement of the process of Messrs. Townsend and Walker, and which appears to be in use in connection with some English chlorine works, has not been met with. It is said, however, to be in many essential features identical with that of M. Kopp above described, an important difference being that the English process does not attempt to utilize the sulphur evolved in the sulphydric acid gas. A somewhat close affinity between M. Kopp's processes and those of M. Fabre is also discoverable. The latter does utilize the sulphydric acid, but, in one method, by burning it, either by itself or by directing it into the fire of burning pyrites, for the production of sulphuric acid; and in another method, by directing it into water holding the sulphurous acid of the products

of combustion of pyrites, where, as the author claims, aiding the effect by pressure or agitation, a reaction occurs in which water is generated and the sulphur of both the sulphurous and sulphydric acids precipitated. To evolve the sulphydric acid in the first place, M. Fabre acts upon the sulphide of calcium of the residues by the chlorhydric acid set free during the fabrication of crude soda. Indeed, M. Kopp acknowledges the general similarity of his own to the processes for the like purpose of certain other chemists; and he states that he has not professed to give new modes of treatment of the residues in question, but rather to present in detail the entire system of measures by means of which, with the least expenditure of labor and with the greatest economy, *the whole* of such residues can be rendered inoffensive, and be made to yield with profit products which can be utilized.

M. Kopp's memoir closes with an account of modes of utilizing soda wastes, taken by themselves, and without the use of chlorhydric acid or chlorine residues. This latter and simpler form of treatment he regards as indispensable to the purpose of converting the entire waste of large alkali works; since his process previously given, though effectual, is adequate to the disposal of only part of such accumulation. The heaps which remain offend the smell with sulphydric acid gas only in foggy and moist weather; but the liquid drainings from the heaps, yellowish in color, strongly alkaline, rich in sulphur-compounds, and giving off to the air the gas already named, constitute a real nuisance, and, running freely into streams, destroy fish.

If a heap of soda-waste be simply left without addition for some years, the drainings from it continuing and also the action of air and moisture upon its materials, the escaping liquid will gradually change in character, becoming colorless, neutral, and containing only sulphate of lime. The heap, meanwhile, changes from a dark gray to a yellowish white; and it is now found to consist largely of sulphate and carbonate of lime, with traces of sulphate and hyposulphite of soda, and of chloride of sodium, oxide of iron, alumina, silica, etc., and a small amount of free sulphur. In this condition the material is no longer hurtful to vegetation, but proves an excellent ameliorator of silicious or clay soils in which lime is deficient. But the process may be expedited. In proportion to the amount of the waste at chemical works there will be produced also a quantity of coal slag and of broken bricks. These may together be deposited along the heaps of waste at distances of four or five yards, in rows one yard high and broad, and the waste filled in between and over them, until it is proper or convenient to lay fresh rows of the broken material. The open spaces in these rows will serve as channels along which atmospheric air circulates, so as in less time to act upon the whole mass, oxidizing the sulphide of calcium,



and (as the author states in his account of this plan) to bisulphide of calcium and lime.

In either of the two cases now considered, soluble sulphur compounds result; and the rains wash these out of the heap. Gutters are accordingly formed around the latter and the drainings conducted into large tanks or shallow pits, in which they are allowed to stand exposed to the action of the air. Oxidation goes on rapidly, the sulphides being converted into oxygen salts; though, whether or not the sulphur to some extent escapes in gaseous combination, is not stated. When the sulphides have quite disappeared, in reference to the case in which the oxidation in the heap has been expedited, it is stated that the liquor can at once be used as a tolerable manure; while, as to drainings from heaps left to spontaneous change, it is directed at such point to remove the clear solution and decompose hyposulphite of lime present in it by sulphate of soda, to procure the hyposulphite of soda, after removing which, of course, the liquid may be put to the same use as above indicated.

**SODA AND SODA COMPOUNDS.** The fundamental parts of the process which, under many modifications, is still most largely employed for the production on a manufacturing scale of soda and its carbonates, are such as depend on the discovery of M. Nicholas Leblanc, made in course of researches begun in the year 1784, namely, that when sulphate of soda (Glauber's salt) is calcined in due proportions with chalk and charcoal, the result is an alkaline mass, containing carbonate of soda and caustic soda, both easily separable by the action of water; while nearly all the sulphur still present in the same mass is held insoluble in calcium compounds that have commonly been regarded as constituting an oxy-sulphide of that base. This process, setting out with Glauber's formation of the sulphate of soda by action of sulphuric acid on common salt, was by a committee of the French Government selected as the most advantageous among twelve different methods presented to it, and was made public in the year 1791.

Accounts at length of the soda-process of Leblanc, as employed in practice, involving of course many of the improvements, up to a recent period made in it, will be found in various encyclopædias and technological works, as, under the title *SODA*, in the *NEW AMERICAN CYCLOPÆDIA*, and in the recent *Supplement to Ure's Dictionary*, etc. A brief outline of the principal steps as now generally conducted, however, will presently be given. The process itself, as carried on under the best conditions, has still some objectionable features; the most serious of which, perhaps, consist in the facts, that the sulphur of the residues cannot, except by complicated and tedious processes, be recovered (in form of  $\text{SO}_2$ ) for re-use in the manufacture, so that the consumption of the sulphuric acid employed is continuous and very considerable; and that, at

large works, the residues accumulate in immense quantities, being, from the amount of sulphur in them, useless as fertilizing material, at the same time that they give off sulphuretted gases, and from the like cause render the rain-water leaching from the heaps injurious to vegetation, and to the fish of streams receiving it. Circumstances of this nature, together with the fact of the many reactions that, as conducted in the laboratory, or on the small scale, afford soda or its carbonates with apparent facility and cheapness, have led to the attempting of a variety of other methods, a few of which are actually employed with success in the manufacture.

*Synopsis of Processes for Preparation of Soda, etc.*—M. Rodolph Wagner has given, in *Le Technologiste* (December, 1864), a summary—though still not a complete one—of the more important soda-processes that have been proposed or attempted, and mainly from which the following synopsis is still further abridged. He ranges his classification under the heads of the five principal sources of soda, namely:

1. Soda saltpetre, or the so-called cubic nitre (nitrate of soda,  $\text{NaO}.\text{NO}_3$ ).
2. Cryolite, the native double fluoride of sodium and aluminium ( $3\text{NaFl}.\text{Al}_2\text{Fl}_3$ ).
3. Sulphate of soda ( $\text{NaO}.\text{SO}_3$ ).
4. Marine or common salt ( $\text{NaCl}$ ).
5. Albite, the soda-analogue of felspar, in granite.

The processes enumerated are the following:

I. With *nitrate of soda*—calcination with carbon (Duhamel); fusion with binoxide of manganese (Wöhler); decomposition with carbonate of potassa; calcination with sulphates of lime and magnesia (Kuhlmann).

II. With *cryolite*—beginning with hydrate of lime, and decomposing aluminate of soda by carbonic acid; beginning with hydrate of baryta; treating with sodium with a view to fabrication of aluminium, and decomposition of fluoride of sodium by hydrate of lime (Tissier).

III. With *sulphate of soda*: (A) *DIRECTLY*—*decomposition of the sulphate*, by acetate of lime (Crell); by acetate of lead (Kirwan); by carbonate of potassa (Hagen); by carbonate of baryta (Kastner, Köhreuter, Lennig, Melseus, etc.); by hydrated bicarbonate of baryta (Wagner); by hydrate of baryta (Fuller, Samuel); by acetate of baryta; by hydrate of lime (Claussen);—(B) *INDIRECTLY*—*employing sulphide of sodium*, with acetic acid, and calcining (Duhamel); the same, with peroxide of iron (Malherbe, Kopp); the same, with moist carbonic acid (Gossage); the same, with carbonate of ammonia (Laming); the same, with caustic lime (Leblanc?); the same, with carbonate of iron (Habich); the same, with oxide of copper (Pruckner and Persoz); the same, with baryta (Reinar); the same, with sulphate of lead (Colard);—(C) *PREPARATION OF THE SULPHATE*—from common salt and sulphuric acid (Glauber); from the mother-liquors of salt-works; from sea-water (Balard, Merte); from



common salt and sulphate of ammonia; from common salt and alum (Constantin and Donald); from common salt and sulphate of iron (Athenas, Van der Ballen); from common salt and sulphate of lime (Hodson and Green-shields); from common salt and sulphate of magnesia (Scheele, De Luna); from common salt and sulphate of copper, with production of chlorine also; from common salt and pyrites, by roasting (Carny, Longmaid, Mesdach); from common salt and sulphate of zinc; by calcination of common salt with sulphate of lead (Margueritte); from common salt and sulphate of protoxide of manganese.

IV. Primarily acting on *common salt*—by oxide of lead (Scheele, 1775); by carbonate of potassa (Meyer, 1784); by hydrated lime (Guyton and Carny, 1780); by carbonate, or bicarbonate, of ammonia (Turek, Dyar and Hemming, Schlösing); by oxalic acid (Kobell, Samuel); by fluosilicic acid, and then by caustic lime (Spilsburg and Maughan, 1837; Kessler, 1858); by hydrate of alumina, prepared or native (diaspore), then by carbonic acid or cryolite—in the latter case, finally by lime (Tilghman, Tissier); by silica and vapor of water, then by carbonic acid (Vauquelin; Gay-Lussac and Thenard, 1809, etc.).

V. With *albite*, and other soda-yielding silicates—by calcining with lime (De Fuchs); by litharge, then gaseous carbonic acid; by fluoride of calcium, or by cryolite and sulphuric acid, separating the silicium as a fluoride.

*Outline of Leblanc's Process.*—In this, *two* independent steps are essential: the preparation of sulphate of soda from chloride of sodium, and decomposition of the sulphate into the mixed mass containing the crude soda—a *third*, the purification of the crude soda into the refined or crystalline article, or its conversion into caustic soda, being optional with the original manufacturer, since much of the crude soda produced is either sold for use in that form or taken for refining at separate works. The sea-salt, or common salt, may be heated with sulphuric acid (sp. gr., 1.6), taken in equal weights, within two contiguous furnaces, to the second and more highly heated of which the mixture is directly transferred for the completion of the process. Double decomposition of the materials takes place, with production of sulphate of soda and chlorhydric acid; the latter, escaping in enormous volumes, is condensed and secured by passing it into towers filled with broken coke or stone, and over which water is made to trickle.

In the second step, the sulphate of soda, dried and pulverized, is intimately mixed with charcoal or coal, and chalk or limestone (carbonate of lime), both previously reduced to powder and sifted. The proportions differ at different works: Ure gives, by weight, six parts of sulphate of soda to seven of chalk and four of coal. This mixture is fused in a reverberatory furnace, and again in two stages: in the first, the preparatory heating of the materials is

effected; in the second, the fusing and fused mass, which gives off numerous jets of blue flame (burning carbonic oxide), is to be frequently stirred and incorporated throughout, and when the jets of flame begin to fade, to be raked out into cast-iron moulds. The product is the crude and impure soda, and is variously known as “black balls,” “ball alkali,” “soda ash,” etc. The view presented by URE of the reactions which occur, is as follows: first, much of the oxygen of the sulphate of soda combines with carbon, yielding the carbonic oxide gas already referred to, and leaving a sulphide of sodium; and, secondly, this sulphide to a large extent reacts with the carbonate of lime, the result so far being carbonate of soda and sulphide of calcium. The reactions are, however, seldom, if ever, complete; and from this cause, together with the necessary presence of some foreign matters in the materials used, the crude alkaline mass as thus obtained is of more or less variable, and always of complex composition. Richardson has given the composition of the black balls from works at Newcastle as, in 100 parts, carbonate of soda, 9.89; hydrate of (*i. e.*, caustic) soda, 25.64; sulphide of calcium, 35.57; carbonate of lime, 15.67; sulphate of soda, 3.64; chloride of sodium, 0.60; sulphide of iron, 1.22; silicate of magnesia, 0.88; carbon, 4.28; sand, 0.44; water, 2.17. In this sample, however, the proportion of caustic soda is unusually large, and that of carbonate of soda unusually small, while free lime is not mentioned. The sulphide of calcium, itself sparingly soluble in water, is rendered still less so by the excess of lime which is commonly present. (URE.) It is this mixture of insoluble sulphide and oxide of calcium that has been generally, though it appears improperly, regarded as forming a calcic oxysulphide.

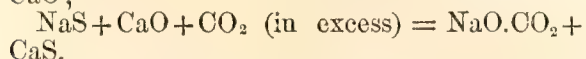
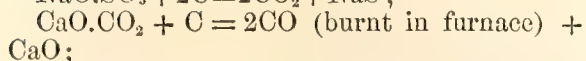
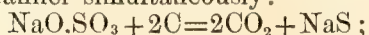
The purification or refining of the crude alkali is conducted either by washing or by lixiviation, with subsequent evaporation, and as not differing very essentially from the methods of purifying saline substances generally, need not here be given at length. The reader is referred to *Ure's Supplement*, or *Miller's Chemistry*, for a description (with drawings) of the ingenious method in use at some of the works for obtaining a concentrated soda-lye from the ash, by means of a succession of tanks at lower and lower levels, and removing the ash successively from the lowest to the highest of these. In the evaporating process, at a certain density of the lixivium, this may be set aside for crystallization; or the evaporation may be continued to dryness, when the result is the somewhat impure carbonate of soda, known as *sal-soda*. This usually still contains a small percentage of sulphide of sodium, from which it is desirable to free it, and naturally more or less of caustic soda, by converting which into carbonate a uniform product is obtained, and the weight at the same time increased. One method of removing the sulphur, and at the same time carbonating any caustic soda that



may exist or result, is that of heating the dry impure soda with sawdust, or with ground coal or charcoal, in a reverberatory furnace, but not to a heat exceeding  $700^{\circ}$  F., frequently turning and stirring the mixture, until the burning jets of carbonic oxide from it cease; after which the mass is to be again leached, and the lixivium evaporated. In the more expeditious process of Gossage, the sulphide of sodium is decomposed by a hydrated oxide, as of lead, giving caustic soda, which is carbonated by passing carbonic acid into the solution, and sulphide of lead, which is precipitated. The precipitate removed, its decomposition is effected by chlorhydric acid, giving sulphydric acid, which is burned for sulphuric acid, and chloride of lead, which by means of lime is restored to the hydrated oxide for re-use.

Other methods of obtaining a comparatively pure monocarbonate of soda ( $\text{NaO.CO}_2$ ) are also in use. For removing ordinary impurities, of course, the lixiviation of the alkali may be once or more repeated. The conversion of the monocarbonate into the bicarbonate ( $\text{NaO.CO}_2, \text{HO.CO}_2$ ) is effected either by passing into a solution of the former a stream of carbonic acid, or by exposing the crystallized monocarbonate to the action of carbonic acid gas. In the method of Schlösing and Roland, common salt being at the outset dissolved in water, ammonia and carbonic acid are successively added, with production at first of bicarbonate of ammonia, and then (by reaction) of bicarbonate of soda and chloride of ammonium. The former can, if desired, be reduced to the monocarbonate by heating. The chloride of ammonium being boiled with lime, the ammonia is re-formed for use again. Finally, when the hydrated or caustic soda is the article desired, this is readily obtained by treating a solution of the monocarbonate with milk of lime, the resulting carbonate of lime separating by precipitation.

*Theory of Leblanc's Process.*—This process has of late been discussed from a theoretical point of view by different writers, among them especially by M. J. Kolb and by M. Pelouze. M. Kolb considers that, in a heated mixture of one equivalent of sulphate of soda, one equivalent of chalk, and three equivalents of carbon, in an atmosphere of carbonic acid, the following reactions take place, and in a manner simultaneously:



The proportions here given correspond to sulphate of soda 100 parts, carbonate of lime 70.4, and carbon 25.5 parts, by weight; and theoretically the mixture should yield 74.6 parts of monocarbonate of soda. In reality, however, it will commonly yield only about 62 parts, in carbonate and hydrate of soda, the causes being such as that of imperfect mixing, loss of some carbon

by burning, failure to maintain the proper temperature, etc. The author judges that the best practicable yield of soda is obtained when the proportions of sulphate, chalk, and carbon are 100, 94, and 44, the yield then being of carbonate of soda 64.20, and of caustic soda 4.72 parts, the whole equivalent (when the latter has been carbonated) to 72.2 parts of carbonate of soda. He thinks, however, the excess of chalk and charcoal a difficult matter to state generally—that it must be left to the discretion of the manufacturer, and will depend in a measure on the form of his furnace, the method of stirring, and other points.—*Chem. News*, March 23, 1866, from *Ann. de Chim.*, etc., February, 1866.

In another paper, M. Kolb argues also, consistently with his view of the reactions above given, and at variance with the theory of the change previously presented from Ure, that the carbonic acid of the chalk does not contribute to the formation of the carbonate of soda, but that it is especially from the gases of the furnace [referring doubtless in part at least to the carbonic acid generated by burning of the oxide of carbon] that the final reaction results:  $\text{NaS}$ ,  $\text{CaO}$ , and  $\text{CO}_2$  then resulting in  $\text{NaO.CO}_2$  and  $\text{CaS}$ . The author considers the action, respectively, of dry air, of moist air, and of water, on the rough or crude soda. He finds that from  $0^{\circ}$  to  $100^{\circ}$  C., perfectly dry air exerts no sensible action on crude soda, not even by its carbonic acid; but that somewhat below and at a red heat, dry air oxidizes some sulphide of calcium into sulphate of lime, which then lowers in a degree the alkalimetric richness of the lixivium. Moist air acts very energetically, some lime present being hydrated and then carbonated, while part of the still remaining sulphide of sodium is transformed into sulphate of soda, either directly or through intervention of the oxide of iron present here [it would appear, referring to soda obtained by Kopp's process], and which keeps up the transformation by being indefinitely regenerated. The action of water on crude soda is to give a lixivium of varying composition, depending on these conditions—the concentration of the liquid, the duration of the digestion, and the elevation of the temperature. The last two of these favor the caustifying of part of the carbonate of soda by lime, and a slow, and of course wasteful, reaction between the carbonate of soda and sulphide of calcium. The first-named condition, and the presence of caustic soda, as also of lime, oppose this last formation. A little fresh lime would then seem desirable in rough sodas, as having the effect of producing small quantities of caustic soda, and thus opposing an obstacle to the sulphuration of the lixivium. (*Chem. News*, April 6, 1866, from *Compt. Rend.*, lxii., 638.) A more full discussion of the topics here considered, and with tabular statements, is commenced in the *Chem. News*, July 13, 1866, vol. xiv., p. 16, an abstract from *Ann. de Chim.*, etc., June, 1866.



In respect to the chemical character of the mainly insoluble residues existing along with soda in the crude ball alkali, M. Scheurer-Kestner has very recently declared that his analyses do not show in those residues the presence of an oxysulphide of calcium, but rather of varying proportions of oxide, carbonate, and sulphide of calcium, depending, as he implies, on the proportions of the chalk and sulphate used in the manufacture. Pelouze, Gossage, Kynaston, and others agree in this opinion, that the sulphur of the residues is not present in an oxysulphide.

M. Pelouze expresses, at the close of a paper on the theory of Leblanc's process, before the Academy of Sciences, February 12, 1866, the following as the conclusions to which his analyses and his study of the subject lead :

1. That "black ash" is a mixture of carbonate of soda, sulphide of calcium, carbonate of lime, and free lime.

2. The ash, on *prolonged* contact with water, hot or cold, gives an amount of caustic soda proportional to the free lime the ash contains, and then the lime in the waste is completely neutralized by sulphydric or carbonic acid.

3. This reaction with the carbonate of soda not usually being complete, the waste will commonly contain some free lime.

4. Any black ash being given, free lime may be left in the waste, or not, just as the lixiviation is managed.

5. Nothing has yet demonstrated the existence of an oxysulphide of calcium, nor of any other compound of lime with sulphide of calcium. (*Chem. News*, February 23, 1866.)

M. Verstraet details at length, in *Le Technologiste* for April, 1865, a convenient method of testing accurately the quantity of sulphide of sodium present in a lye of crude soda.

*Other Processes with Sulphate of Soda.*—Among the modifications of Leblanc's soda-process, at least in its first stage, and which have been to some extent brought into successful practice, are those of obtaining the sulphate of soda by heating green vitriol (sulphate of iron) with common salt, the chloride of iron, which simultaneously forms, being volatilized; and of roasting, with common salt, copper or iron pyrites—the latter affording a means of using ores otherwise too poor to be worked with profit. (URE.)

In the method devised by M. E. F. Anthon, of Prague, equivalent quantities of marine salt, gypsum (sulphate of lime), and calcined magnesia are mixed with a quantity of water of six or eight times the weight of the salt, a current of carbonic acid is introduced and the mixture kept agitated: carbonate of magnesia forms, reacting with gypsum to produce carbonate of lime and sulphate of magnesia, the latter of which reacting in turn with the common salt, gives sulphate of soda and chloride of magnesium. The lime-salt precipitates, and the liquid being properly evaporated, the sulphate of soda crystallizes, while the chloride of magnesium remains

in solution.—*Jour. of Soc. of Arts*, August, 1864.

Mr. A. G. Hunter, England, patented in April, 1865, a method of converting sulphate of soda or potassa into the corresponding carbonate, by boiling under pressure (hydraulic, steam, or mechanical) a mixture of caustic lime, in form of milk of lime, with a weak solution of the sulphate of the alkali—in case of sulphate of soda, specific gravity 1.1, and pressure 40 to 50 lbs. to the square inch. When caustic alkali has resulted, the sulphate of lime, insoluble, may be separated by filtration, still under pressure, to be sold as a fertilizer, or purified for special uses. Methods of carbonating the alkali are also given.—*Newton's Lond. Jour.*, April, 1866.

The methods of Macfarlane and Kopp, next to be considered, also involve the use or production of sulphate of soda.

*Preparation of Soda, Chlorine, and Sulphuric and Chlorhydric Acids.*—In this process, described by Mr. T. Macfarlane in the *Canadian Naturalist* (February, 1863), sea-salt is decomposed, with fabrication of the substances named. Green vitriol, dried and mixed with sea-salt, is heated to redness in a current of air, with formation of a sesquichloride of iron, and then of peroxide (sesquioxide) of iron and free chlorine: the solid residue consists of the last-named peroxide with sulphate of soda. The reaction is facilitated by previous admixture of some peroxide of iron.

In carrying out the process, 828 parts of green vitriol, dried and partly peroxidized at a gentle heat, are intimately mixed with 352 parts of sea-salt and 78 of peroxide of iron; and the whole is then heated to low redness in a muffle calcining furnace, through which a current of air dried by passing over quicklime is maintained, the mixture being stirred, and the heat kept so low as not to sublime any chloride of iron. The decomposition of the chloride of sodium is stated to be complete, the muffle containing a mixture of peroxide of iron and sulphate of soda, and the chlorine gas given off, though mixed with nitrogen, being available for the preparation of bleaching salts, etc. The solid residue is ground, mixed with 144 parts of coal, and heated to fusion in a reverberatory furnace, the hearth of the latter being prepared substantially of quicklime mixed with a little basic slag or glass, and saturated with sulphide of sodium. The fused mass, treated after cooling with water, yields sulphide of iron, and an impure caustic soda from which more of the same sulphide is precipitated by carbonic acid: the remaining solution of carbonate of soda and caustic soda is to be treated by the ordinary methods.

The sulphide of iron residue from the process is washed, and exposed moist to the action of the air: by action subsequently of water, sulphate of iron is dissolved from the mass, and peroxide of iron separated; and the former being obtained dry, these two materials are available in operating on a new portion of salt.



The chlorine gas evolved being passed, along with an equivalent proportion of sulphurous acid gas (from burning sulphur or pyrites) and with steam, through a condenser filled with coke, chlorhydric and sulphuric acids at the same time result; and these are afterward separated by distillation.—*Amer. Jour. of Science*, vol. xxxvi., September, 1863.

*Kopp's Soda-Process, with Peroxide of Iron.*—In the year 1777, M. Malherbe, a Benedictine monk, proposed a method of producing carbonate of soda by acting on the sulphate of the same base by means of charcoal and iron. This process has in its essential features been revived more recently by M. Emile Kopp, of Strasburg, and has been brought into practice at least in some English manufactories. In its present form it consists substantially in decomposing the sulphate of soda by a mixture of carbon and peroxide of iron, the three materials being in the proportion of 125, 55, and 80 kilogrammes, calcining the mixtures, and following with “*délitation*” (exposure to air and moisture), and finally, lixiviation. With an impure sulphate, the other ingredients should be proportioned to the quantity of pure dry sulphate of soda present. The peroxide of iron should be as pure as may be, weighed dry, and in fine powder; or it may be replaced with carbonate of iron (spathic iron), or magnetic oxide or iron-filings, provided the proportion of iron present in any case be such as to form a sulphide (FeS) with all the sulphur of the sulphate. The mass is best calcined by using a furnace with two or three stories: when in the last and hottest of these it has softened, giving off a yellow flame, and becoming homogeneous, it is drawn off, still red, into boxes on wheels, and solidifies to a black, porous mass. In this condition it is not well acted on by water; but the blocks, being exposed to air and moisture under a shed, rapidly absorb oxygen, water, and carbonic acid, and in course of some hours fall to a pulverulent, reddish mass—a change which M. Kopp sometimes aids by another, termed by him “carbonation.” Pulverizing the crumbled mass fine, a grayish powder is obtained, and which is then sifted.

The lixiviation is rapid, being performed either by filtration or decantation, and with water at from 30° to 40° C. Crystallization occurs in 24 to 48 hours, without concentration—[the product being a highly pure carbonate of soda]. The residue, again filtered and dried, burns below 100° C., its sulphur being utilized in the production of sulphuric acid, and peroxide of iron regenerated and used again. The latter, indeed, gradually becomes impure, and must finally be replaced by fresh oxide. The sulphur, however, converted into acid, and made to act on fresh portions of salt, is re-used indefinitely.—*Amer. Jour. of Science*, vol. xxi., January, 1856.

*Soda-Processes with Baryta, and its Salts.*—In the same number of the *Technologiste* (December, 1864) with his article previously

quoted, M. R. Wagner has another paper, and of some length, on the processes for soda specially involving the use of caustic baryta or certain baryta-salts. Of these, the most successful appears to be that by decomposition of *sulphate of soda by caustic baryta*, patented in England by Fuller in 1819, and by Samuel in 1838, and later recommended on the Continent by M. Anthon, of Prague, in 1840, and by M. G. Hoffacker, of Stuttgart, in 1863. The author states that in his own experiments he has effected an easy and complete decomposition of sulphate of soda by caustic baryta, and that at all degrees of concentration and of temperature; and he is led to coincide in the opinion recently expressed by Prof. Hofmann, that a cheap and plentiful supply of baryta, could this base be so produced, would work a revolution in the business of fabricating soda.

*Soda-Processes by Direct Action on Common Salt.*—In regard to these, little needs be said in this place. In the process of Mr. Samuel, a concentrated solution of sea-salt is treated with excess of oxalic acid, the results being chlorhydric acid and an insoluble binoxalate of soda; and on boiling the latter with milk of lime, caustic soda and oxalate of lime are obtained. The chief difficulty hitherto has been in the want of an economical mode of recovering the acid, for re-use, from the lime-salt.

Propositions have been at several times made, looking to a decomposition of common salt by steam at high temperatures (of course, under pressure, in strong vessels); but the resulting caustic soda and chlorhydric acid tend to decompose again at lower temperatures, and before the soda can be separated, with reproduction of the original materials. The introduction of a third body such as will at once combine with the soda forming, and in a non-volatile compound afterward readily decomposable, offers a means of overcoming the difficulty referred to; and for such purpose *alumina* and *silica* have been used.

In Mr. Tilghman's process, precipitated alumina is made up into balls with chloride of sodium; and these are exposed to a current of steam in a reverberatory furnace, strongly heated. Chlorhydric acid and soda result; the former is expelled, and the latter combines with the alumina, from which, when cold, it is again separated by means of a current of carbonic acid: the carbonate of soda is dissolved out, and the alumina can be re-used. (URE.)

Mr. William Gossage, of Lancashire, patented (July, 1862) a method of obtaining soda or potash from the corresponding chloride, and by aid of silica or alumina, or both. Filling a suitable reservoir with fragments of one of these earths (and which he terms “decomposing substances”), he passes through the interstices of the mass the alkaline chloride in a state of vapor, along with steam—the whole being at a high temperature: in the fabrication of soda, the chloride of sodium being employed, silicate or aluminate of soda, or both, as the case may



be, result. The silicate is directly useful for glass-making, etc.; or either of the salts named may be treated with caustic lime, setting free caustic soda, which can then be carbonated.—*Newton's Lond. Jour.*, vol. xvii., 1863.

A process is stated to have been devised by Mr. Weldon (England), for the almost immediate production of bicarbonate of soda, by pumping into strong vessels containing equivalents of magnesia and common salt, the air passing through a coal fire, and charged of course with carbonic acid,—chloride of magnesium and bicarbonate of soda resulting.

*Soda from Cryolite.*—The interesting mineral, cryolite, found as yet in but few parts of the earth, and most largely perhaps in Greenland, is, as previously stated, a double fluoride of sodium and aluminium. It has been brought into use recently as a source from which to obtain both the earth-metal and the alkali-metal bases present in it, the employment of the mineral with such view having been, it is said, introduced by Prof. Julius Thomsen, of Copenhagen. Of the product of the Greenland mines, a considerable quantity had been already contracted for yearly in Denmark (and perhaps in Germany also), when about the close of the year 1864, the "Pennsylvania Salt Manufacturing Company," having its works near Pittsburg, through agents sent to Copenhagen for the purpose, contracted with Messrs. Shure and Sons, owners of the mines, and with the Government, for all the excess yearly of the cryolite mined, over the quantity previously secured for European consumption. Ships were thereupon chartered in England, at Quebec, and in American ports, to proceed to Ivigtut, Greenland, lat. 59°, load with the mineral, and deliver it at Philadelphia. The force at the mines has been increased, and the American contract is said to cover from one-half to two-thirds of the total product. Up to October, 1865, about 6,000 tons of cryolite had been imported for the works of the company referred to, and the quantity received in 1866 was expected to be about 11,000 tons.

The process of extraction is said to be essentially the Danish: cryolite and lime are pulverized, mixed, and calcined: fluoride of calcium and aluminate of soda result; and the latter being treated with carbonic acid, carbonate of soda is formed, being of course soluble in water, while the alumina is precipitated. Besides the bicarbonate named, the company produce from the cryolite also caustic soda, sal-soda, and the concentrated soda-lye, or "saponifier;" the last-named product being original with them, and patented.

*Oxidation of Crude Soda Liquors.*—The lye obtained from crude soda, or "black ash," usually containing a small quantity of sulphide of sodium, of which, especially for the preparation of the solid caustic soda, it is desirable to be rid, Mr. J. Hargreaves, of Lancashire, has invented an apparatus intended to be used (in place of the old methods with atmospheric air,

nitre, bleaching powder, etc.) for converting the sulphide into the insoluble and easily removable sulphate of soda. The principle is that of blowing through the lixivium, contained in a deep vessel, and from the bottom upward, a current of mingled steam, at 40 lbs. pressure, and air. Oxidation of the sulphide takes place; and in course of a few hours the conversion into sulphite, and from that to sulphate is so nearly complete, that the use of an extremely small quantity of nitrate in the solution then suffices. See *Chemical News*, June 8, 1866.

*Sulphate of Soda and Chloride of Potassium from Sea-water.*—M. Balard, after years of study and labor, has succeeded in extracting economically from sea-water the two substances named, and which are of so great importance in connection with a class of large chemical works. The usual production of the first, involving an immense consumption of common salt and sulphuric acid, has been described; while for the salts of potash the dependence has hitherto been largely upon the ashes of North American forests. M. Balard's plan has been thought likely to place the French nation independent alike of both these sources of supply. In this plan great quantities of sea-water are in the early spring run from the Mediterranean into large shallow reservoirs. During the summer, evaporation to some extent occurs, and a quantity of common salt separates; and the concentrated liquor is then stored in other reservoirs until winter. It is then again run back into the shallow pits, in which, during a cold night, it throws down large quantities of sulphate of soda. The mother-liquors remaining after this deposit are next introduced into a Carré's apparatus, and exposed to an intense cold; they thus yield considerable quantities of a double chloride of magnesium and potassium; and this, subjected to heat in a furnace, gives chlorhydric acid, magnesia, and chloride of potassium.

In M. Carré's method, cold is produced by means of a saturated solution of ammoniacal gas contained in one of two suitably-connected vessels: by heating this one, the gas is driven over into the other, and in which, surrounded by cold water, it liquefies by its own pressure. The heat being removed from under the first vessel, its temperature falls; the liquid in it re-absorbs the gas which had been driven off, and the rapid evaporation of the latter from the second vessel, into which it had been condensed, now necessitates a corresponding absorption of heat from contiguous solids or liquids: the liquors previously referred to being at this point brought in contact with the walls of the second vessel, the precipitation already mentioned takes place.

*Preparation of Pure Soda.*—M. Wöhler (*Liebig's Annalen*, September, 1861) finds that when nitrate of soda is heated along with bin-oxide of manganese in closed vessels, no manganate of soda is formed, and the decomposition is so complete that this process may be used for the preparation of a pure caustic soda.



SOLID BODIES, THE FLOW OF. M. Tresca has devoted much attention to this interesting subject, and recently laid the results of his investigations before the "Society of Civil Engineers in France." His experiments were conducted with the ordinary metals, lead, tin, copper, iron, and others, and the whole process may be described as liquefying the substances by pressure, and observing their behavior when issuing in jets from a small orifice. A strong cylinder having a small round hole at the bottom, was filled with the metal in its natural cold state (excepting iron and other peculiarly refractory metals), and a sufficiently powerful pressure applied at the upper extremity—whereupon the metal issued from the orifice in a jet like that of a liquid. Iron and other refractory metals it was necessary to heat to a certain point—not the melting point—before the same results could be obtained with facility. M. Tresca observes that the flow of solid bodies offers advantages for observing the *vena contracta*, and the laws regulating phenomena of this nature better than the flow of liquid bodies. The molecules under the pressure to which they are subjected assume, if not a true liquid form, at least a condition of extreme divisibility closely approaching thereto. In the cylinder alluded to, a mass of lead exactly fitting its internal diameter was forced in a jet through the orifice. No particulars with regard to the motion or arrangement of the molecules could be observed in this jet; but, on repeating the operation with the substitution of a number of thin disks of lead, in place of one solid mass, the following remarkable results were noted. By cutting the jet transversely, it was observed, after a little time, that a portion of all the disks issued simultaneously from the orifice in the shape of concentric tubes, or hollow pipes, one inside of the other; the lower disks formed the external tubes, and the upper disks the internal tubes; the behavior of the flow being precisely similar to that of water, passing through the orifice of a cylinder, the upper strata of the fluid supplying the internal particles of the jet, and the lower strata the external ones. With twenty disks of lead, having a diameter of 3.9 inches, and an aggregate thickness of 2.35 inches, a jet was obtained 23.4 inches long, the diameter of the orifice being from .786 to 1.96 inches. The contents of the unbroken jet issuing from an orifice of 0.786 inches in diameter were rather more than one-third the whole mass of the metal in the cylinder. With a larger hole, the whole contents would have been voided in a single jet. With smaller orifices the jets were proportionately longer, but retained the same characteristics. Other metals acted upon furnished similar results, and by exercising great precautions, the external and internal tubes could be separated from each other. Small waxen tablets under the same conditions behaved in exactly a similar manner.

A mass of metal in a mould may be imagined

to consist of two concentric cylinders, one corresponding to the orifice of the flow, and the other enclosing it. When pressure is given to the upper surface, the whole exterior cylinder becomes compressed, and gives rise to the flow by driving out the central portion by a uniform pressure all around it. In fact, the flow takes place more strictly in accordance with the law of concentricity of layers than that of parallelism of sections.

The crushing of solid bodies is attended with phenomena analogous to those above described. When a block of tin composed of several disks is subjected to a crushing force, a progression of particles from the centre to the circumference occurs, and the disks take the shape of lenses grouped uniformly around the axis of a cylinder. Other metals, such as lead, and the substance wax, behave similarly. Again, it is known that in crushing a mass of metal consisting of concentric cylinders a bulging takes place at about the middle of the height. The sides of the exterior cylinders deflect, but still preserve their continuity. If we suppose a cylinder of lead to be made up of concentric tubes, the lengthening of either the external or internal tubes can be produced at pleasure, accordingly as heavy or light blows are struck upon it. The shock of a heavy blow will be transmitted to the central tubes, while that of a light blow will be wholly expended on the exterior tubes. A knowledge of these facts is of practical value in the stamping of metals.

SORGHUM. The sorts of cane indigenous to China, as perhaps also to parts of the East Indies, and to Southern Africa, which thrive and perfect their juices and seed in higher latitudes than does that long and specially known as the "sugar-cane," belong to the family of grasses, and more specifically to the millets. Not only the Chinese cane (*sorghum saccharatum*; Fr., *sorgho sucré*; Ital., *sorgo*), and the African cane, or *imphee*, but also the dourah corn and the broom-corn, are now accepted as but varieties of a single primitive species, sometimes referred to *Holcus*, and sometimes to *Andropogon* (being, in this view, the *A. sorghum*); or, indeed, by some writers, as constituting a distinct genus, on which hypothesis the sugar-bearing millets form the species, *sorghum vulgare*. Thus, the generic term "sorghum" embracing all the varieties, these may then, in common language, be properly distinguished according to their source under the names of "sorgho" and "imphee." The history of the introduction of these plants into Europe and this country is already generally known.

Mr. William Clough, of Cincinnati, states that the several sub-varieties of imphee, originally described by Mr. Wray under the native titles, have, in this country, already become so far modified and assimilated in their characters that but five or six distinct sorts can now be traced; while, except in the case of the *Boomssee-a-na* and the *Nee-a-za-na*, there is scarcely



any uniformity longer in the names attached to them. He regards the sub-variety known, but improperly, as the *Otaheitan*, and which has lately been brought into some prominence, as undoubtedly an imphee; and the so-called *Liberian* cane as probably a derivative also from the same class of plants.

In the year 1861, the sorgho cultivated in the northern parts of France had, in many cases, so far degenerated that, the seed from the two being scarcely distinguishable, it was very difficult even to procure seed which could be relied on to produce the genuine cane. Indeed it was early found that the Chinese cane could not compete as a source of sugar with the beet; and the former was still raised mainly for its furnishing a purer and cheaper alcohol than the latter. In the south of France the cane had not been cultivated on a scale large enough to determine its value. In England both the sorgho and imphee have been tried; and while the plants thrive, they afford but very little sugar. In the West Indies these canes have not been found equal to the varieties of *saccharum* previously cultivated there.

Among the circumstances, however, which have strongly recommended these plants in the United States, are those of the wide range of latitude (from the extreme southern limits of the country to as high as 41°, or farther north) over which they are, when genuine, capable either of furnishing a bountiful feed-crop or of maturing a saccharine juice, and of their comparative hardihood, greater than that of maize, both as against a free, rough cultivation, and against drought and the lighter frosts of early autumn. Considering the wide transfer undergone in locality and conditions, much modification was, perhaps, to be looked for; but here also in many cases this has gone, with both the sorgho and the imphee, to the point of a partial or complete degeneration. In the first place, a too frequent cultivation of the different varieties near to each other has led to an exchange or fusion of characteristics, with perhaps a gain, and more commonly a loss, in saccharine richness; or, their growth near to the broom-corn and common millets has still further resulted in what is almost universally accepted as a hybridization, and, in this case, with a necessary deterioration or loss of value. The actual degeneration of the canes, in the second place, occurring either as a consequence of such intermixture or possibly of other causes, has been found to affect from single stalks to an entire field, or to supervene gradually from year to year, showing itself sometimes in a great overgrowth, with perhaps long and broom-like panicle, and sometimes in "blight," the pith turning red, dry, and non-saccharine.

Such facts sufficiently press the importance of care in the selection of seed for planting, and, where practicable, of avoiding proximity to crops susceptible of intermixture. The Report of the Commissioner of Agriculture for 1864, in fact, while stating that the introduction of

the sorghum and imphee has already been worth millions of dollars to the country, and mentioning the fact of the large quantities of sugar and of syrup already manufactured from those canes, adds that an agent had at that time been sent to China to purchase fresh seed of the sorgho, and to ascertain minutely the method of sugar-making there practised; and that it was hoped a supply of the seed would be obtained in time for planting in 1865.

The same report further adds, that the subject of cultivation of the beet for sugar is attracting attention in the Western States, some cultivators in Illinois having already engaged in this with promise of success. And although the readily imaginable difficulties, in the outset, of cultivating in the sorghums an unknown plant, and of engaging in the unguided experiment of manufacturing its juices, have already, through the perseverance and ingenuity brought to bear on this industry, been largely overcome, yet there have been those who have anticipated that the sorghum culture may yet end in this country, as in France, in a resource for feed, for alcohol, etc., while a resort is ultimately had to the beet for sugar. This view, indeed, and which is here recorded in no sense as indicating disparagement or despair of the sorghum, may still be a mistaken one; and it is a practical question of the highest importance, whether, since the sorghum juices, like those of the beet, are very much more highly charged and clogged with organic and other impurities than are those of the tropical cane, rendering their purification at best a nice and difficult matter, much might not be gained in this country by adopting, in reference to the former the European practice with the beet, separating the business of cultivation from that of manufacture, and conducting the latter on an extensive and systematic scale.

*Cultivation.*—Authorities are still not agreed as to which variety of sorghum is to be preferred; and on this point, doubtless, much depends on climate, soil, and situation. Some analyses and trials have assigned to the Chinese cane the larger percentage of sugar; but Mr. Isaac A. Hedges, of Dayton, Ohio, himself largely engaged in the cultivation, regards this cane as the most liable to deteriorating intermixture with the broom-corn, to prostration by winds, followed by a crooked growth, and to production of large gummy joints, injuring the quality of the juice; and the African cane, on the contrary, as the more vigorous and uniform in stalk, seldom falling, having the richer and more limpid juice, and as the only sort which, in case of overgrowth from too rich a soil, may still *increase* its total product of sugar.

The canes are benefited by a considerable richness of soil; and where requisite, the land may be freely supplied with lime, plaster, and well-rotted (excluding fresh stable) manures. The canes being liable to suffer from a wet spring, a warm, somewhat light and porous soil, as a rich sandy loam, is to be preferred;



and, at least for higher latitudes, a sunny exposure. As the plants send their roots to great depth, but in their early growth are for some time small and scarcely distinguishable from the summer grass, it is desirable both to plough deeply and cultivate thoroughly—the freer the soil of weeds, the better. The seed is planted in hills or drilled in rows (as a protection against winds, better perhaps running east and west), from three and a half to five feet apart; and quite commonly too thickly at first, to be afterward thinned to suit the soil and season. Ordinarily it should be covered to but from one half to one inch in depth; but seed sprouted by soaking (about two days for imphee, and six for sorgho), as is done to test its vitality and to hasten growth, should be covered deep enough to prevent the drying and perishing of the shoot. The plants, until about three feet high, require much the same cultivation as maize; but late cultivation retards maturity—late ploughing especially so, by disturbing the roots. Transplanting is successfully performed, a better growth being thus commonly secured. It is a general practice to remove “tillers,” as detracting from the growth of the original plant, and liable to impart to the juice an excess of acid, and to the syrup a “grassy” flavor.

Mr. Clough states that, with most of the varieties, the saccharine matter begins to be found in the juice just before the seed-heads appear, and increases in richness, at least in the lower part of the stalk, until the heads are fully formed, the sugar meantime being mainly absorbed from above the upper joint; that after the seed is filled out and the cane matured, the sugar gradually disappears from the stem, being, if not destroyed in consequence of frost, apparently in part returned to the root; and that the period at which the saccharine matter is most fully developed, and that, therefore, most appropriate for harvesting the cane, is when the seed at the middle of the panicle is just beginning to harden, or to pass from the milky state. The crop should, if practicable, stand until the plants have in the main reached this stage. The sugar, however, appears to culminate in the juice at an earlier period of growth, in the higher latitudes; so that here the cane bears cutting while much less mature than it does farther south.

Although a frost which merely kills the foliage does not of itself injure the juice of the cane, yet, as arresting the maturity of the plants, it indicates the desirableness of at once cutting the crop. When, however, the temperature falls for a time  $1^{\circ}$  or  $2^{\circ}$  below the freezing point, the juices of the stem are congealed and the cells ruptured: even this change does not destroy or modify the sugar; but upon subsequent exposure to a higher temperature, say of  $50^{\circ}$  or upwards, fermentation sets in, the sugar being rapidly converted to glucose, then to alcohol, and finally to acid. When an injurious frost has occurred, the crop should be forthwith cut, the leaves being then commonly

allowed to remain; but frozen canes at once suffer, and most of all, if left exposed after cutting to a warm sun or to rain. The stalks, first *dry* if practicable, should be stacked in small stacks and covered, or better housed, and then ground as rapidly as possible.

When the season allows choice of time for cutting, the stripping and topping of the stalks, if done at all while the canes stand, should, in order to avoid diminution of the sugar, not be so until just before the cutting; or these operations may, by methods known to the cultivators, be performed after cutting, and perhaps at the mill previous to grinding. Several patent “cane-strippers” have been devised, in some of which the knives are adjusted to fit the taper of the stalk; but there is still some question as to their value. Frosted or dry foliage may, with less injury than the fresh and green, be left on in grinding; the worst disadvantage in the former cases is, that the leaves remove with them some juice. Mr. D. M. Cook, of Mansfield, O., urges the importance of determining and seizing upon the point of the culminating of sugar in the juice, and also of anticipating a possible reacidulation, liable to come on as a preparation for sending forth new shoots from buds of the upper joints—a change more to be apprehended if the weather be warm and wet. Usually the canes, after cutting, may lie on the ground awhile to cure the leaves; or they may be worked as cut, and particularly if quite ripe. With the precautions not to take the stalks while heated by the sun, nor while at all wet, these may be stacked, but so that no rain can enter, and covered; or they may be housed in sheds, and thus kept for some weeks: the result of this treatment (so different from that necessitated by the cane of the tropics) is said frequently to be an increase in the percentage of saccharine matter in the juice, and at all events a diminution of its feculent matters. As to this storing of the cane for some weeks, however, the authorities seem divided; and a decrease in the amount of sugar certainly occurs in some cases, especially from too long keeping, or with canes not in a highly dry state.

*Expressing of Sorghum Juice.*—As in sugar districts generally, the mills employed for sorghum are essentially a system of smooth rollers, usually three in number—one larger, the “main,” and two smaller, the “feed,” and the “bagasse” roller—these being all, in fact, commonly quite small, and set upright, and the power applied by horses. Steam-power is believed to be the more economical, at least beyond the work of eight or ten horses; and water-power, if at hand, cheapest of all. Generally speaking, the mills (or, indeed, other works) of larger capacity, if kept employed, are not only relatively the less wasteful, but conducted with greater actual profit. Upright rollers, set with no yield, are very liable to accident from inequalities of the feed; and again, to compress portions of it too slightly to extract the juice. Horizontal rollers, which are coming more into use, should be



set so as to be held very firmly in place, and yet with some yield, thus admitting a thicker feed, adapting themselves to it, and expressing the juice more uniformly. The main roller should be twenty-four inches in diameter, and work closely within flanges on the ends of the smaller ones, to prevent escape of the canes or juice. A common speed of the rollers is from twenty to thirty feet per minute; but fifteen, or even twelve would be better, though to do the same work the construction must in such case be stronger. Mr. Clough estimates the capacity of a horse, working without unnecessary waste of power in friction, upon a mill in good order and with fresh cane, at forty gallons of juice per hour; so that, assuming this as the work of one horse-power for the given time, and twelve hundred gallons of juice per acre as the average product of good fresh cane, it follows that, generally, each horse-power employed should grind at the rate of one-third of an acre of cane per day of ten hours. In practice, however, to effect so much work, the team must be alternated every two or three hours.

*The Sorghum Juice and its Purification.*—Dr. C. T. Jackson, of Boston, in the year 1857 examined chemically the juice of the sorgho and imphee, from parts of Massachusetts and from Washington, D. C. Of two Massachusetts samples, Chinese, taken before and during flowering, the specific gravities were 1.044 and 1.036; and the saccharine matter, 10.5 and 9.36 per cent. of the weight, was decided to be glucose. Of four Washington samples of African cane, taken from the early milk up to quite ripe, the specific gravities ranged from 1.048 to 1.065, and the sugar from 12.6 to 15.9 per cent., this being cane sugar in all the cases, save in that least matured; while, of the single sample of Chinese cane, the specific gravity was 1.062, and the yield of cane sugar 16.6 per cent., nearly all crystallized.

The quantity of juice usually obtained from well-trimmed and good canes, is stated to be about fifty per cent. of their weight. The proportion of saccharine matter in the juice, varying, of course, with the sort of cane, soil, season, etc., is such that from about six to twelve gallons of the former are required to afford one gallon of ordinarily thick syrup—the canes in about the latitude of Virginia yielding a much richer juice than those grown toward the limit northward. Generally, with cane well matured and from a warm and light soil, the juice should afford from thirteen to sixteen per cent. of its weight in dry saccharine matter, and of this, under the best modes of manufacture, a large proportion should be crystallizable cane sugar. Mr. Cook recommends, for the making of sugar, to trim the canes well and cut them at the middle also, using only the lower half, the upper being reserved for syrup; but sugar is also made from the juice of the stalk entire.

The raw or green sorghum juice, is, as already intimated, highly impure, containing, besides some fructose, vegetable acid, and saline

substances, also albuminous and coloring matters, at least partially in solution, with fragments of the fibrous and cellular structure of the plant, earthy particles, etc., in suspension. The facts indicate the necessity both of neutralizing and defecating the juice with care. The practice in respect to neutralizing is not very uniform. For both purposes lime or equivalent materials are quite generally in use, however; though, for defecation proper, the reliance is rather on the application of heat. The juice is tested for acidity with litmus paper, the use of which must be learned in practice. If the blue of the paper be changed to scarlet, crimson, or pink, the juice—taken in the quantity of a charge, or in that required for an hour's run—should be treated at brief intervals with portions of fresh lime-water, stirred to the consistency of milk, and (Mr. Clough advises) until the color first imparted by the acid juice is changed back from scarlet to crimson, crimson to pink, or pink to purple.

For arresting or preventing fermentation in the juice, as well as to aid in defecating it, the bisulphite of lime in solution may be added—one or two pints to the one hundred gallons—to the juice as it flows from the mill; quicklime, in such case, to be further added during the boiling, to neutralize the sulphuric acid formed. The alkalies and their carbonates, of course, also serve well for neutralizing acidity; but while the carbonates produce effervescence, and any of these substances imparts to the syrup a flat alkaline taste, none of them promotes coagulation to the same extent as lime. Concentrating the juice directly, without neutralizing, a lighter colored syrup is often secured; but it is both less pure and less sweet, and is liable to ferment in warm weather. By many the lime is added to the juice in the first evaporating pan; and in such case its action may be aided by the use at the same time of bullock's blood.

At whatever stage lime is used, or if not so at all, it appears to be generally admitted that a proper defecation of the juice requires that it be brought at the outset into speedy and active ebullition; a plentiful green scum is then thrown up, which, to prevent its redissemination in a fine state through the syrup, should be removed as completely as possible. The character of the scum, indeed, successively changes, until at the last a yellowish or whitish crust, sometimes termed "cane gum," appears (Mr. Cook says is "precipitated"), this separating most thoroughly from syrup kept at the boiling temperature without active ebullition, and its removal being by many considered indispensable to the fitting of a syrup for granulation. To remove any form of scum effectually, and especially this, there should be some cooler portion or portions of the charge of juice or syrup in the pan, the surface of which is quiet, as can with long shallow pans be effected in various ways; and this consideration has influenced the construction of many of the sorghum-juice evaporators in use.



*Evaporation and Concentration of Sorghum Juice.*—In course of the earlier experiments, it soon became evident that the general plan of concentrating the juice of the tropical cane could not in all respects be adopted with that of the sorghum; but that, with the latter, rapid boiling in a shallow stratum, and with the shortest possible exposure to the fire, gave the best results. This discovery led to the general adoption of shallow pans, which, whether used singly or in series, would present a large surface to the action of heat. With these, there are two distinct modes of operating: the *intermittent*, in which, with one or more pans, the juice is introduced in successive charges, each by itself finished in what is called a "strike" of syrup; and the *continuous*, in which a small stream of juice is kept flowing into one end of a long pan or series of pans, and the partly or wholly finished syrup is nearly, or quite as continuously drawn off at the other.

In the intermittent mode, a variety of plans and arrangements are employed, the pans being commonly made in form of a shallow box, with sheet iron, galvanized iron, or copper bottom, and frequently with flaring sides or shores, over which the scum collects. The pans are not uncommonly made with partitions, dividing them into compartments, and into which, by various devices, the juice is successively transferred; while arrangements of several pans, set at levels descending, and each above communicating with the next by a tube and faucet, are in use; and also that of auxiliary pans, for settling and perhaps straining the juice at the intervals of transferring. An apparatus much in use consists of a large defecating pan and two finishing pans of less size, the latter to be alternately in use for boiling and being emptied, and these being perhaps preferably placed over the hottest part of the furnace.

Mr. Hedges describes his method of concentrating the juice, with two pans, 4 feet wide, and 15 and 11 feet long, the heating in each being by steam, within systems of brass tubing that are terminated short of one end; this being also made sloping, in order further to facilitate the removal of the scum, and which is conveniently effected by means of a simple long-handled scraper of light wood, of the width of the pan, and buoyed at the ends with cork, so that it floats on the syrup. In the first pan, he inspissates the juice to (while hot) 15° B.; and having then drawn it off into a tank to settle for an hour or two, he afterward runs it thence into the smaller pan, adding lime again if necessary, boiling gently for a time, until impurities have mainly risen, and then violently to remove the grassy and lime odors, and to secure the best quality of syrup. This being thus reduced to about 36° B., it is finally drawn off through a cooler, into suitable tanks or barrels. Similar pans may be worked over a furnace; but the ebullition is not in such case so perfectly under control.

The same writer estimates that two pans,

4×30 and 2½×20 feet, well set and heated, requiring a mill of 24 and 14-inch rollers, 22 inches in length, and driven by a 6-inch engine, or by 6 horses acting on a leverage of 16 feet, the furnace consuming about 4 cords of wood, will, with proper attendance, turn out 300 gallons of syrup per day of 15 hours. Mr. Clough considers 1,200 lbs. of bituminous coal equivalent to one cord of good wood, and on theoretical grounds concludes that this amount of fuel should, evaporating 10 gallons to 1, give 119 gallons of syrup, or, 6 to 1, 215 gallons; but he believes that, in practice, not more than an average of 75 gallons of syrup to the cord of wood are obtained. The megass is yet little used for fuel; it is in some cases disposed of for the making of paper, but most commonly returned to the land as manure. Mr. Hedges describes a form of furnace for the burning of fresh, wet megass, and which is said to afford an intense heat. The best material for the evaporating pans is undoubtedly heavy sheet copper, which, though expensive, is durable and easily cleaned; and next to this, Russia iron.

The scum, where considerable in quantity, should be received into a suitable tank, from the bottom of which some syrup can from time to time be drawn off, to be returned to the pans; while the tank, to prevent souring, should be emptied and cleansed daily. The scum is used for fattening swine; or, along with other waste, is fermented, affording an excellent vinegar; while both may also, and along with the last washings of bone-black filters, if these are employed, be fermented only to the stage at which they yield alcohol. Mr. J. K. Leedy, of Bloomington, Ill., has devised in quite compact form a sorghum-juice evaporator, furnace, and still—the latter for separating alcohol from fermented waste-matters of the sorts just named.

Mr. Clough regards the *continuous* process as, for concentration of sorghum juice, the most advantageous. The juice being caused to flow in a shallow body continuously and slowly over the bottom of the pan, evaporation is secured with the shortest exposure of the saccharine matter to the destructive action of heat, and which would be aided by the free acids, salts, and other impurities, in which the sorghum juice abounds; while, under the like circumstances, the impurities are also very thoroughly expelled. The process is conducted in two forms: in one (represented by the "Jacobs" pan, and by that of Dr. Harris), the flow of the juice is direct from the supply end of the pan to the other, where it is discharged finished or partly finished; in the other (represented by the "Cook" pan), the juice is made to pass back and forth through a series of transverse channels, until it reaches, as syrup, the outlet end of the pan.

Jacobs' evaporator is a shallow rectangular pan, which, by introducing the transverse wooden partitions not quite fitting to the bottom, is separated as may be desired into a number of sections, the partitions serving to keep



back the scum for removal, while the clear syrup passes on underneath. The successive forms of impurities, already referred to, are thus very satisfactorily brought up and removed; the purification being completed by the rising of the lighter adhesive scum in the last sections, where ebullition is not maintained. The concentration is completed in separate pans.

Cook's evaporator is also a long rectangular pan, the smaller sizes at least of which are usually mounted with the furnace on rockers, so that, by giving to the pan more or less inclination, the advance of the juice can be either quickened or retarded, in order, while admitting it in a constant stream, to deliver the product always at the required degree of concentration for syrup, or, as may be, for granulation. The passage of the juice, however, is prolonged, by means of a series of ledges running out from the two sides alternately, and each nearly to the side opposite, so that numerous transverse sections are formed, but in reality constituting a single tortuous channel from the inlet to the outlet extremity of the pan; while, the sides of the latter projecting beyond the width of the furnace, a tumultuous boiling is secured along the middle of the pan, and the parts of the current of juice at the sides being meantime quiet, the scum is thrown upon and conveniently removed from these—the different forms of impurities appearing in succession, and the "cane gum" being very thoroughly "precipitated" (Mr. Cook states) in the last sections. To this last circumstance, indeed, Mr. Cook attributes in good degree his success in obtaining a syrup capable of granulating well.

Mr. J. H. Hartwell, of Indiana, constructs his furnace with direct and return flues, alongside, and by dividing his pan, one-half longitudinally and the other transversely, by partitions, causes the juice to take a serpentine course to the point of its exit as syrup. Mr. J. C. McKee, of Illinois, has patented an evaporator essentially in form of a helical inclined channel, receiving the liquid to be evaporated in its middle and highest part, and discharging below, so that in its passage the liquid is spread in a thin sheet over a large heated surface; while its admission is regulated to suit the heat and the concentration desired. It should be added that "portable" evaporators, that is, such as with the furnace and other appliances are mounted on wheels, are also in use.

The density a syrup will have when cold is conveniently approximated by use of the common *saccharometer*, an instrument which, as well as the thermometer, should first have been carefully verified. Still, a correct judgment from the indications afforded by these instruments will require some practice; as is true also of the common "signs" of a proper concentration, as found in the *appearance* of a syrup, its *smell*, the *sound* made in boiling, the *behavior* of a drop between the thumb and fin-

ger, etc. Finished syrup should be speedily cooled to at least 175° (Clough); this, with the continuous process, being effected by a broad, shallow conductor from the pan to the tank or barrel, and, where the finishing is in "strikes," by transferring each of these into a long box, rocked on pivots by a lever, and having cross-bars within to agitate and let air into the mass.

*Filtering and Management of Syrups.*—For the making of the best syrup, not less than of sugar, a very thorough filtering of the liquor is essential; and this, practised at least once with the syrup, may, with great advantage, in order to remove at first the grosser impurities, be begun with the juice. It is not uncommon to strain the raw juice through a sieve, or through clean straw; but as the running either of juice so treated, or of the syrup from it, through bone-black filters, still rapidly clogs the latter and renders them inoperative, Mr. Clough advises to fit into a tight cask (some inches up) a false perforated bottom, fill in upon this clean straw, and then by a tube from an elevated reservoir introduce the juice underneath, the pressure causing it to be filtered upward: the suspended matters are thus very effectually detained, and the medium is not soon clogged.

Bone-black filters, however, can alone be relied on to filter the syrup in a manner nearly or quite perfect. Their use may be preceded by that of the double or folded bag-filters; but these usually foul speedily. The bone-filters may be of moderate size—four feet diameter to about seven feet high: over a false raised bottom a blanket or rug is spread, the coal then filled in, leaving a depression a few inches in depth at top, and a second rug laid over all. The syrup, which should not mark more than 20° B., is then run on in a small stream, and, when the case is filled, the discharge faucet below opened. The first parts escaping, if not quite pure, should be returned, perhaps allowing the whole to rest for an hour, when the faucet is again opened; and as soon as the syrup escapes clear, the draw off and supply may be adjusted to each other. When the filter ceases sufficiently to decolorize the syrup, the supply is exchanged for that of hot water; and the discharge, when it becomes too thin for syrup, may be returned to the pans for re-evaporation, or the more dilute portions perhaps added to materials to be fermented, until, finally, the almost pure water is allowed to run to waste.

For the modes of treatment of the washed coal, in order to the revivification of its absorbent powers, the reader is referred to the article, BONE-BLACK. Mr. Hedges doubts the propriety of washing the coal after re-burning, and recommends to apply no more water than is required for quenching it.

The great impurity of the sorghum juice renders it desirable that this should have been clarified as thoroughly as possible before passing it through the coal; as the latter, besides giving a better result, serves without revivify-



ing for purifying a much larger body of tolerably pure, than of impure, syrup. Accordingly, the first concentration should be carried to no more than 20° B., or the syrup, if denser, brought to this point again by adding hot water; and being then neutralized with lime, aiding perhaps with addition of some fine charcoal, and of milk or eggs, etc., it should be made to boil, and all impurities rising carefully removed; it will then be in condition for filtering to the best advantage. Well-filtered sorghum syrup is spoken of as being bright, of an amber color, and of very pleasing flavor. After filtering, the syrup should be boiled again, with the least possible delay, to the required concentration—the vacuum-pan, and a temperature not exceeding 150°, here giving the best results.

Mr. J. F. Shelden (or Shedden, and, it appears), of Mercer Co., Ill., has patented a mode of treating sorghum syrup with soda, bitartrate of potash, and milk, in succession, to remove the acrid and vegetable ("sorghum") taste, and to purify; and also, modes of clarifying cold syrup, and sweetening it, when sour, by adding sesquicarbonate of potash (*saleratus*)—1 lb. to 20 gallons; and for causing cold sorghum syrup to granulate, by adding the like quantity of the same or of other forms of alkali. Syrups beginning or likely to ferment, in warm weather, from having been finished in impure state, may be re-handled—adding a few gallons of water, and some six quarts of lime-water at 4° B., to the barrel, and boiling again: much scum rises, and the syrup is sweetened, and made bright, and of good color.

*Sorghum Sugar.*—The doubts which at first existed as to whether the saccharine matter of the sorgho and imphee were in reality, at least in good degree, a crystallizable cane sugar, or were only glucose, appear of late to have been quite dispelled, and not merely through the results of analyses which have been made, but also by the manufacture and exhibition in numerous instances of samples of sugar from the sources named, and which have been declared identical with and equal to that from the tropical cane. The chief reasons why the production of sugar has not as yet become more generally an object with the cultivators of sorghum, appear to exist in the great difficulties attending the management of the juice, already mentioned, and particularly in the want of some ready and economical method of bringing the saccharine solution into a sufficiently pure condition for granulation. The only important question in the case, therefore, still remaining undecided, is that as to whether sugar can be produced from the sorghum at a cost enabling it to compete with the New Orleans and other cane sugars; and this question, it would now appear, is most likely to receive an affirmative answer, if at all, through the further application of chemical principles and the trial of new purifying agents, in the treatment of the juice.

Mr. Hedges, along with many others, ex-

presses confidence that the production of sugar economically from the sorghum will yet be accomplished. He had secured a fine crystallization, beginning in two hours and complete within two days, in batches of properly finished syrup; though the best sample of sorghum sugar, with a single exception, that he had seen, was one obtained from syrup kept over, and which did not begin to crystallize until the following summer. Evidently, however, in order to successful manufacturing, the granulation and purging of the sugar should be complete within about a week.

For the making of sugar, undoubtedly, the best seasons and maturity of the cane are most favorable, and a juice, if possible, marking at least 10° B.; while the most thorough filtering and defecation practicable is requisite, and the use of the vacuum-pan, after the preparatory concentration and filtering, doubtless to be preferred. The high temperatures required for the final boiling in the open air—about 225° for syrup, and 230° for sugar—are likely to caramelize a portion of the saccharine matter, imparting a brown color and burnt flavor. Boiling in such manner, for sugar, the heat should not rise above the temperature last named; and the syrup should not be made too thick, or its crystallization is impeded. When the charge is removed into coolers, its temperature should not be allowed to fall below about 90°, until granulation is complete—this condition rendering necessary an inclosed and artificially-heated granulating room. The coolers should be wooden boxes; and draining-boxes, of V shape, and with slide-covered opening in the bottom, should be in readiness to receive the sugar when granulated. Mr. Cook greatly expedited the cleansing of the sugar by introducing the paste of crystals and molasses into a strong linen sack, and subjecting it thus to the action of an ordinary press, obtaining the sugar dry in this way within an hour. In well-grained and cleansed sugar, the "sorghum taste" will not be found, the matters imparting it being drained out in the molasses.

*Other Uses of Sorghum.*—Besides the employment of the saccharine juice of the sorghum for the making of syrup and of sugar, of alcohol and vinegar, of its fibre for paper stock, and of the crushed stalks for fuel and for manure, the plant and certain of its products also serve other important uses. All parts of the plant are eaten by horses, cattle, sheep, swine, and poultry; and the prejudices which at first existed against it, as being supposed liable to injure the stock feeding upon it, are now well-nigh done away. To produce the entire plant for feed, the seed may be sown broadcast; and the crop may be fed either green or dry. The seed from matured canes, some 40 bushels to the acre, may also be fed to cattle, etc., with admirable fattening effects; or, ground, it makes a somewhat colored, but not unpalatable bread.

The syrup is, in the rural districts, to some extent used for general sweetening purposes;



while, properly applied in connection with a brine of common salt and saltpetre, it serves an excellent purpose in the curing of meats. Finally, it may be remarked that, although it is as yet difficult to obtain the saccharine matters of the juice in form of a crystallized sugar, yet their chemical tendencies, not less than the results of experiment, show that it is extremely easy to convert them wholly into alcohol; and this, so obtained, is also naturally purer and more desirable than that afforded by the juice of the beet.

*Profits of Sorghum Culture.*—The data are not at hand for showing, generally, the profits which may be realized from the cultivation of the Chinese and African canes; nor even, comparatively, the probable value of the crop in different parts of the country; and besides, certain statements relative to these points, are already familiar to the agricultural public.

Mr. Cook puts the expense of cultivating an acre of sorghum at from \$37 to \$45—possibly, \$50. The canes raised by himself, yielded about 225 gallons of syrup to the acre; and from which he obtained 7 lbs. to the gallon, or 1,575 lbs., per acre, of sugar. Mr. J. H. Smith, of Quincy, Ill., made from the crop of 1861 the quantity of 1,500 lbs. of sugar to the acre, with an additional 115 gallons of fair syrup. Rating the sugar at 10 cts. per pound, and the syrup at 40 cts. per gallon, wholesale, this would give:

1,500 lbs. sugar, at 10c.....	\$150 00
115 galls. molasses, at 40c.....	46 00
	<hr/>
	\$196 00
Deduct expenses, say.....	50 00
	<hr/>
Balance, net profit.....	\$146 00

*Yearly Product of Syrup and Sugar from Sorghum.*—Mr. Hedges considers the number of mills in use for grinding these canes, in 1860, to have been 6,000, and taking the product for each mill at 20 barrels of syrup of 40 gallons each, finds a total quantity of 120,000 barrels, and total value, \$2,400,000. Mr. Clough, in 1864, states that sorghum sugar, though beginning to be made throughout the districts generally, is not yet produced in sufficient quantity to enter materially into the trade. The product in syrup, in 1862, in the ten States below named, which furnished full returns, was (as per tables of the Agricultural Department) as follows:

	Total Products.	Average per Acre.
Illinois.....	1,594,192 gallons.	143 gallons.
Indiana.....	1,241,665 "	155 "
Iowa.....	3,996,948 "	148 "
Kansas.....	158,964 "	149 "
Michigan.....	533,018 "	183 "
Minnesota.....	29,984 "	125 "
Missouri.....	1,552,202 "	146 "
Ohio.....	6,484,800 "	130 "
Pennsylvania.....	19,210 "	158 "
Wisconsin.....	38,516 "	125 "
Total.....	15,649,463 "	
	Average product.....	146 "

The sorghum is, however, also raised to considerable extent in many other of the States, as in Kentucky, Tennessee, North and South Carolina, Georgia, Alabama, and Texas, as well as in New Hampshire, Connecticut, and perhaps other New England States; while recently, it is becoming a popular crop also in Maryland and Delaware. The crop generally of the year 1863 was largely destroyed by frosts; that of 1864 was estimated to be about equal to the yield of two years previous, the canes being indeed more injured, but a larger area being planted—the product in Illinois alone, however, showing a great increase (more than one-fifth) over that of 1862. (See also estimates at close of the article SUGAR, MANUFACTURE OF, etc.)

*Sources of Information.*—The materials for this article have been drawn mainly from the sources—the language of which has also doubtless been in a few instances adhered to—which follow, namely: certain reports, etc., in the volume devoted to Agriculture of the *Patent Office Reports* for 1857; the article of Mr. Isaac A. Hedges, entitled "Sorghum Culture and Sugar-Making," and that of Mr. D. M. Cook, on the Sorghum, in the like volume for 1861; the article of Mr. Wm. Clough, editor of the *Sorgo Journal*, Cincinnati, entitled "Sorghum, or Northern Sugar-Cane," in the "Report of the Commissioner of Agriculture," for 1864; and an article upon "Sugar," in the *Merchants' Magazine*, v. 48, Jan., 1863.

**SOUTH CAROLINA.** The necessity for a modification of the laws of this State relative to persons of color which should enable the civil authorities to extend jurisdiction over them in all cases, and should make the punishment of crime more certain against all classes, and the adoption of such measures of relief as the condition of the people required, caused the Governor to assemble the Legislature in extra session on September 6th. At that time more than one-half of the inhabitants of the State were exempt from all liability to punishment under the laws. In most of the districts neither provost nor freedmen's courts were in existence, and persons of color perpetrated crime with impunity. Some of the gravest offences against society were tried before military commissions sitting at a distance and attended with long delay, great expense, and a difficulty in procuring an attendance of witnesses. The provost courts, where organized, imposed unequal and lighter punishments than was imposed by the State courts on whites. The Governor proposed to remedy the difficulty by extending the jurisdiction in civil and restricting it in criminal cases to offences punishable with less than death, and thereby relieving other courts. He urged the admission of the testimony of colored persons in all cases, saying:

The first paragraph of the section admitting persons of color to testify in all cases where themselves or their race are directly interested, and excluding them by implication in all cases where they are not interested, cannot be reconciled with sound policy or just discrimination. They are admitted in that class



of cases where their interest, sympathy, association, and feelings, would be most likely to pervert their consciences and invite to false swearing, and are excluded from testifying in all cases where no motive could exist to swear falsely, except that of a depraved heart. The distinction is illogical and indefensible, and it cannot be denied that it has its foundation in a prejudice against the caste of the negro. If the rules of evidence in all the courts were so modified as to make all persons and parties competent witnesses in their own and all other cases, no possible danger could result from it. Many of the States of the Union, and several of the civilized countries of the Old World have tried the experiment, and the result proves that the cause of truth and justice has been thereby promoted. The object of every judicial investigation is to ascertain the truth, and, when found, to dispense justice in conformity thereto. With intelligent judges and discriminating juries, correct conclusions will be more certainly attained by hearing every fact, whatever may be the character or color of the witness.

The stay law, which had been passed at the previous session, was declared by the courts to be unconstitutional, as impairing the obligation of contracts. It was recommended for the relief of debtors, that imprisonment for debt, except in cases of fraud, should be abolished; that no costs should be taxed against a defendant, and that by an amendment of the insolvent debtor law the debtor, upon making an assignment, could receive a full discharge.

The extra session which ensued continued for three weeks, during which resolutions were adopted authorizing the Governor to issue, in such form and manner as he might deem proper, \$300,000 of State bonds, and with the proceeds of the sale of the same, to purchase 300,000 bushels of corn, delivered free of farther expense, for the support of the destitute people of the State. The civil jurisdiction of the district courts was extended. An act was passed to establish a penitentiary in the State. All persons having one-eighth of negro blood, were declared to be persons of color, and the same civil rights were granted to them as to whites. Other measures, which were strictly of local interest, were passed.

The effect of the legislation, by which the courts were open to all persons, with equal civil rights, without distinction of color, was, to cause the commanding Federal general (Sickles) to issue an order on October 6th, turning over to these courts all civil and criminal cases in which the parties were civilians. By the same order the military provost courts were to be discontinued as soon as the State district courts were organized, except at Hilton Head and certain sea islands; the jails were restored to the sheriffs; corporeal punishment was prohibited except in the case of minors; and district commanders were required to report any failure of the civil tribunals to give due protection to persons and property.

The public debt of the State, excluding those debts contracted on account of the war, was on October 1st, \$5,205,227. No provisions had then been made for the future payment of principal and interest. The receipts of the treasury,

during the year, amounted to \$477,743; the balance on hand on October 1st, was \$173,000.

The regular session of the Legislature commenced on November 27th, and the measures recommended by the Governor for adoption by the Legislature, indicate that a very complete transition is taking place in the internal regulations of the State. The jurisdiction of district courts was limited to colored persons, and they were created by the Constitution, which thus withheld from the Legislature all power to modify them. Grand juries were also unnecessarily summoned to these courts; reforms were also suggested relative to the numbers required for petit juries, and to other features of the administration of justice; also in regard to commissioners of deeds and notaries public. The establishment of a penitentiary required a modification of the criminal law, especially in relation to summary and corporeal punishments. The site selected for this institution was within the corporate limits of Columbia, about half a mile from the South Carolina railroad depot. It was expected cells would be in readiness for convicts on January 1, 1867. More than seventy prisoners had escaped from custody in the State within a few previous months. The admission of negro testimony in courts was attended with more than the expected success. The colored witnesses appeared to be fully impressed with the obligations placed upon them, and their evidence was generally given with a manifest desire to tell the truth. The Governor endeavored, during the year, to discourage the migration of the negroes from the State, and said: "If the negro remains here his labor must be made sufficiently remunerative to subsist and clothe him comfortably. Schools must be established to educate his children, and churches built for his moral training." He urged the Legislature to make it the duty of the commissioners of the poor to provide suitable buildings at the various district poor-houses for the accommodation and subsistence of aged, infirm, and helpless freedmen. Imprisonment for debt is still continued in the State, although its abolition is strongly urged. The situation of debtors was made still more embarrassing by the bad crops of the year in almost every part of the State. In the rice districts of Georgetown and Charleston the number of acres planted before the war was 30,000; but, during 1866, the number of acres planted was 14,401. Previous to the war 70,000 to 85,000 tierces were produced, averaging 600 pounds. Of the 14,401 acres planted 1,451 were subsequently abandoned, leaving 12,950 under cultivation. This crop was estimated at 22 bushels per acre, or 12,415 tierces of 23 bushels each of rough rice. The failure of the negroes to work it properly, caused but little more than a half crop on the land cultivated. Economically consumed, as food, it was regarded as insufficient to sustain life in one-half of the freedmen of the district. The upland crop was an entire failure. The measures adopted at the extra session of the Legislature to procure a supply of



grain for the destitute were unsuccessful owing to the terms fixed in the joint resolution.

The amendment to the Federal Constitution known as article 14 was brought to the notice of the Legislature by Governor Orr, who said: "It is unnecessary to dwell upon a subject which has been so far decided by the public opinion of the State that I am justified in saying that if the constitutional amendment is to be adopted, let it be done by the irresponsible power of numbers, and let us preserve our own self-respect, and the respect of our posterity, by refusing to be the mean instrument of our own shame."

In the House the amendment was referred to the committee on Federal relations, who made a report in December, unanimously recommending its rejection. The proposition to approve of the calling a national convention was considered. One-half the committee, however, objected on the ground that it could accomplish no good result, because it was questionable whether South Carolina's self-respect would allow her to make suggestions to those who denied her rights as a State under the Constitution, and because it would be undignified in the State to occupy seats in such a convention, whilst her representatives, duly chosen, were forbidden an entrance into Congress. The other half of the committee were of opinion that the State could not in her present condition wisely suggest a direct course of action to the General Government, but that the Legislature should express by resolutions their willingness to go into a national convention and discuss fully and freely the present sectional difficulties.

Resolutions were also reported affirming the wish of the State that the internal affairs of the nation might be so administered as to secure on a liberal and permanent basis the rights of every citizen, and to win back that fraternal confidence of which the cordial coöperation of South Carolina in the results of the war was a pledge that she in good faith sought these designs, and to which that acquiescence entitled her.

The University of the State has been in operation, and contained during the year sixty-five students. Two professors are required for the medical school, and one of law, to put these departments in operation. A professorship of modern languages is contemplated, and a reduction of the board of trustees.

The important section of the act conferring civil rights on the negroes, as it passed the Legislature, was as follows:

*Be it enacted, etc.,* That all persons hitherto known in law in this State as slaves, or as free persons of color, shall have the right to make and enforce contracts, to sue, be sued, to be affiants and give evidence, to inherit, to purchase, lease, sell, hold, convey and assign real and personal property, make wills and testaments, and to have full and equal benefit of the rights of personal security, personal liberty, and private property, and of all remedies and proceedings for the enforcement and protection of the

same, as white persons now have, and shall not be subjected to any other or different punishment, pain, or penalty, for the commission of any act or offence, than such as are prescribed for white persons committing like acts or offences.

The shipments of cotton to foreign ports from the port of Charleston for the year ending August 31st, amounted to 53,807 bales, which were valued at \$8,797,672. The shipments coastwise were 54,147 bales, valued at \$7,625,388. The aggregate is 107,954 bales, and total value \$16,423,080. This is an unfavorable result when compared with any previous peaceful year of the last twenty-five.

The abolition of slavery in the State has been followed by a decline of the agricultural interest, which has given more importance to manufactures, and the subject has commanded greater attention than ever before. A paper-mill at Bath was run night and day on a fine class of book-paper to fill Northern orders. The proprietors of seven cotton-mills in the upper part of the State, were engaged early in the year in rebuilding and repairing the old ones, and had added another, which was put in thorough working order. The factories at Batesville on the Ennoree, at Crawfordsville on the middle Tiger, and at Bivinsville, were in operation during the war, and at its close the worn-out material was replaced with new and improved machinery ready to be in full operation with the new crop of the year. The Saluda factory burned by General Sherman is reconstructed with new machinery from the North. A factory at Vacluse has been enlarged with new machinery. Machinery is ordered in Europe to improve and increase the production of the Graniteville company. The largest manufacturing enterprise ever started in the State was complete before the new crop of cotton came to market. It consists of one writing-paper mill, one printing-paper mill, and one cotton factory of twenty thousand spindles, and five hundred looms. The machinery was of English manufacture. The location is on the same stream as Vacluse.

By far the largest number, if not all the operatives employed in these various factories, are natives of the surrounding country. White people exclusively are employed. Negroes find work in connection with the factories, but they are not what are strictly called operatives.

STOCKTON, ROBERT FIELD, born in Princeton, N. J., in 1796; died Oct. 7, 1866. His father, Richard Stockton, was an eminent lawyer and a United States Senator. His grandfather, Richard Stockton, was one of the signers of the Declaration of Independence. Robert F. Stockton was educated at Nassau Hall, which institution he left without graduating, to accept a midshipman's warrant in September, 1811. His first cruise was in the frigate *President*, under Commodore Rogers, rendering efficient service during the War of 1812, and was commissioned as a lieutenant, December 9, 1814. In the war against Algiers he occupied



the position of first lieutenant of the *Spitfire*, one of the squadron of Commodore Decatur. To no one, probably, is more credit due than to him in rebuking the arrogance of the British officers in the Mediterranean, and establishing the American character for courage, sensibility, and honor. At the request of the American Colonization Society, and with the consent of the Navy Department, he undertook the acquisition of an eligible site, on the African coast, adapted to the settlement of colonists from America, and sailed on this expedition in the fall of 1821. The negotiations were conducted with great fearlessness and ability, and resulted in the cession of the country near Cape Mesurado, on St. Paul's River, the foundation of the Republic of Liberia. His next services were rendered in repressing the slave-trade, and checking the depredations of the numerous pirates in the neighborhood of the West Indies. He was ordered South with a party to survey the Southern coast in 1823-'24, and while thus engaged he was married at Charleston, S. C., to Miss Maria Potter, a daughter of John Potter, Esq., who was subsequently largely identified in the public improvements in New Jersey. Mr. Stockton took great interest in the construction of the Delaware and Raritan Canal, and embarked his whole fortune and that of his family in the enterprise; and it is mainly due to his untiring energy and his consummate ability that that great work of internal improvement was constructed. In 1838 he again sailed for the Mediterranean, and in 1839 was promoted to be a post-captain, and recalled. He refused the office of Secretary of the Navy, which was tendered to and pressed upon him by President Tyler, and in 1842 commenced the construction of the *Princeton*, a steamship of war, which the Navy Department, at his earnest solicitation, consented that he should build. This was completed in 1844, and was the first successful application of steam to a national ship of war. Another innovation was the introduction of guns of larger calibre, there being two long 225-pound wrought-iron guns in her armament. The unfortunate bursting of one of these on February 28, 1844, on an excursion by the President, Cabinet, and a large number of members of Congress, caused the death of Mr. Upshur, the Secretary of State, Mr. Gilmer, the Secretary of the Navy, and others. Captain Stockton was selected by President Tyler as the bearer of the celebrated annexation resolutions to the Government of Texas, and performed the delicate and important duties with which he was charged to the entire approval of the Government. On October 25, 1845, he sailed in the *Congress* for the Pacific. The Rev. Walter Colton was chaplain of the frigate, and in his book, "*Deck and Port*," has testified to the executive and diplomatic abilities of Captain Stockton. After touching at Honolulu, where he succeeded in reestablishing intercourse between the king's government and the American commissioner, which had

been suspended, he sailed for California, and on July 23, 1846, succeeded Commodore Sloat in the command of the Pacific squadron. Hostilities had been commenced between the United States and Mexico, and Commodore Sloat had raised the flag of the United States at Monterey, and two other points. On July 4th the Americans assembled at Sonoma had declared their independence, and elected Colonel Fremont governor. Colonel Fremont repaired to Monterey, to confer with the commander of the squadron, and, on the succession of Commodore Stockton to the command, he accepted the offer of the services of Colonel Fremont in carrying out his expressed intention of reducing the whole of California to a state of complete submission to the authority of the United States. Commodore Stockton immediately commenced the drilling of his sailors, to qualify them for land service, and on August 12th, with his sailor army, attacked General Castro, and on August 13th took possession of Ciudad de los Angeles, the capital of California. On the arrival of Col. Fremont, Stockton appointed him military commander for the whole territory, with a general superintendence over all the departments. On the 8th and 9th of January, 1846, Stockton fought the battles of San Gabriel and the Mesa with his army of sailors and marines, and effectually broke down resistance to the authority of the United States in California. In August, 1846, Commodore Stockton appointed Colonel Fremont civil governor of California, who immediately entered on the duties of his office, which gave rise to a dispute between himself and General Kearney, resulting ultimately in the resignation by Colonel Fremont of his commission in the army. California is indebted to Commodore Stockton for her first press and her first school-house, in addition to his military services. On June 20, 1847, Commodore Stockton, having been relieved by Commodore Biddle, started for home across the plains, and arrived in Washington in December, 1847, and in 1849 resigned his commission in the navy. Notwithstanding his decided refusal to be a candidate for the position, he was elected to the Senate of the United States, to succeed Mr. Dayton, in 1851. He resigned his position in the Senate after his second session, having while a member secured the passage of the bill abolishing flogging in the navy. Although urged by his friends, and widely named by the press, he refused to allow his name to be used as a candidate for the Presidency in 1852, but in 1856 was nominated for President, with Kenneth Raynor for Vice-President, by the American party, which ticket was subsequently withdrawn from the canvass. The remainder of his life was devoted to the interests of the great works of internal improvement in the State of New Jersey, whose prosperity he had done so much to secure.

STRANAHAN, Mrs. MARIAMNE FITCH, an active and philanthropic lady of Brooklyn, N. Y., born in Westmoreland, Oneida County,



N. Y., March 7, 1813; died at Manchester, Vt., August 30, 1866. She had received, for the time and for the region in which her youth was passed, superior advantages for education, and at the age of twenty-four was married to Mr. James S. T. Stranahan, at that time a manufacturer and merchant in the same county, but since 1845 a prominent citizen of Brooklyn. In 1851 she accompanied her husband to Europe, travelling quite extensively through the principal countries of Europe, and subsequently spent some time at Washington, during the sessions of the Thirty-fourth Congress, of which he was a member. Here she was brought in contact with refined and cultivated society, where her intelligence and worth were fully appreciated and made her many friends. In 1858 she was chosen First Directress of the Graham Institute, founded to provide for the wants of respectable aged and indigent females, and to the interests of that noble charity she devoted her time and effort with the zeal of a true philanthropist. In 1862, upon the organization of the "Woman's Relief Association of Brooklyn and Long Island," Mrs. Stranahan was chosen its President. This position was one requiring great tact and skill in the presiding officer, and to her superior judgment and energy is largely owing its perfect success. This association was an auxiliary to the United States Sanitary Commission, and originated the Long Island Sanitary Fair. This immense undertaking involved a vast amount of responsibility, which rested mostly upon her, and nothing but her zealous patriotism and remarkable energy of character carried her so triumphantly through; but the effect upon her health was prostrating, and after the disbanding of the association she returned to her quiet home, and, with the exception of her connection with the Graham Institute, gladly withdrew from any public position. She never recovered from the extraordinary labors of the Fair, and her death occurred while at a mountain retreat in Vermont, where she had sought for some relief from the relentless disease which was destroying her life.

STREET, AUGUSTUS RUSSELL, a wealthy and philanthropic citizen of New Haven, Conn., born in New Haven, November 5, 1791; died there June 12, 1866. He graduated at Yale College in the class of 1812, and soon after engaged in the study of law, but the state of his health compelled him to give up his hopes of an active professional career. Though the greater portion of his life an invalid, he succeeded, through his benevolence and public spirit, in making himself a blessing to the community. From 1843 to 1848 he travelled and resided abroad, devoting much attention to the acquisition of the modern languages; and to the study of art. Inheriting an ample fortune he gave largely to benevolent objects, but most of his benefactions were lavished upon his alma mater. Besides occasional contributions to its funds, he founded the Street Professorship of Modern Languages, erected the building for the

Yale School of Fine Arts, and made provision for its partial endowment. He also left a handsome legacy, which is ultimately to be used in founding the Titus Street Professorship in the Yale Theological Seminary; the balance, if any, to be applied to the increase of the College Library. The whole amount of these gifts is nearly \$300,000. Mr. Street was a man of rare refinement and culture. One of his daughters was the wife of the late Admiral Foote, U. S. N.

SUGAR. *Varieties of Cane: Soils.*—The chief varieties of the proper sugar-cane usually admitted are: 1, the *creole*, *crystalline*, or *Malabar* cane; 2, the *Otaheitan* cane; 3, the *Batavian*, *purple-violet*, or *ribbon* cane.

Mr. H. B. Auchincloss, in a paper on the "Sandwich Islands and their Sugar Crop" (*Merchants' Magazine*, v. 51, November, 1864), argues that "nearly all the great sugar-growing countries are of volcanic formation, more or less recent"—the three most marked exceptions, apparently, being in case of the soils of China, India, and Louisiana; the last of which is probably not at all a lava soil, while, as to the two former, the volcanoes now in action or with probability indicated by existing formations, are too few to give the character of really volcanic countries. No variety of cane, according to the author, appears to have been indigenous to Louisiana; but Mr. W. Reed ("History of Sugar," etc., London) declares that M. Hennepin and other early voyagers speak of the cane as growing near the mouth of the Mississippi River. Certain it is that in the lava soil of Tahiti the white cane, by many esteemed the best known, grows wild, and that it was thence, so late as the year 1794, first introduced into the West India islands.

Generally, it may be said that the cane requires either a rich soil or high manuring. In both soil and manure, however, a high degree of richness in certain salts, as the chlorides of potassium, sodium, and ammonium, is to be avoided; since these salts, in the cane juice, tend to withdraw from crystallization an equivalent (several times their own weight) of sugar, thus diminishing the returns from the crop.

*Qualities and Composition of Cane Juice.*—As freshly expressed, cane juice is a thin, but somewhat viscid, turbid-looking, grayish or greenish-colored liquid, having a sweetish taste and slightly balsamic odor. Essentially it is a solution of cane sugar in water, mingled with a small percentage of albumen, gum, a substance resembling gluten, and minute proportions of cerosin and green vegetable wax [*ENCYC. BRIT.*], and containing also mineral ingredients, such as phosphate of lime, sulphates of lime and the alkalies, chlorides of potassium and sodium, and compounds of magnesia, silica, alumina, and sometimes iron.

The proportion of pure, white, crystallizable sugar actually present in the juice, and that should by any perfect method be obtained from it, though varying with several conditions, such



as the kind of cane, the soil, climate, season, thriftiness of growth, etc., may still be safely stated at an average of 17 to 20 per cent. of the entire weight of juice in the cane, and, with very rich canes, as high as 21 to 23 per cent. Owing, however, to imperfect conditions under which the process of extraction is carried on, and some of them scarcely avoidable, the amount of pure crystalline sugar in the product secured has thus far, by the old methods, rarely exceeded about 7 per cent. (one-third of that in the entire juice of the cane); and with many of the improved processes it is not greater than about 10 per cent. The two great losses mainly determining such results are: first, in the failure to extract the whole of the juice from the canes; and secondly, in the effect of chemical changes in the juice, in connection, of course, with some necessary loss attending the operations of clarifying and evaporating.

It is the nitrogenous matters of the juice (albumen and gluten), prone to undergo fermentative decomposition, and almost immediately so upon exposure to the air and heat of a tropical climate, which serve very soon to set up chemical changes in the liquid. In course of these the proportion of acid present in it rapidly increases, and its color darkens; while it is stated, indeed, that even in twenty or thirty minutes' time active fermentation would set in. Mr. Fryer, insisting on the unfavorable increase of acid and of color, states that the sucrose does not appear to suffer short of several hours; but in this he is apparently quite at variance with other authorities on the question. Before the juice can ferment at all, the change of its cane sugar to grape sugar (unless the latter be already present in it) must have begun; and any change of the kind, in cane juice or syrup, eventuates almost certainly either in alcohol and carbonic acid, and then in acetic acid, on the one hand, or in the formation of fructose (molasses) on the other.

The importance both of neutralizing the acid of the juice and of speedily removing fermentable matters in it, is now evident. It is usually endeavored to affect both these objects with one agent, as in the operation known as the *defecating*, and, speaking more generally, the *clarifying*, of the juice. For the process of defecation, which precedes the boiling down or concentrating, several basic oxides and salts of the latter have at different times, though some of them to a limited extent only, been employed. Among these, caustic lime, which directly neutralizes the acids present, while it is a cheap article, and, properly employed, also harmless, has been thus far in most general use. The lime is usually added in the form of a "cream" or "milk of lime," known as "temper," and to an amount averaging, perhaps,  $\frac{1}{800}$ th part of the juice. The coagulating action of the lime on the albuminous matters of the juice is aided by heating the latter, but, until the resulting scum has risen and been removed, not to above 140°, or at most 176° F. Authorities generally speak of neutralizing quite the acidity of the juice;

but Mr. C. A. Goessmann, of Syracuse, N. Y. (*Chemical News*, January 20, 1865), in view of the imperfect removal at best of the obnoxious ingredients, favors over-compensating to the extent of securing an alkaline reaction. A great excess of lime is, however, for obvious reasons, to be guarded against. Mr. Goessmann in the same place proposes a plan for concentrating cane juice, involving the use of caustic lime, acid phosphate of lime, and caustic magnesia, and which he believes would result in a gain both in quantity and quality of product over that afforded by the common methods.

*Manufacture of Raw Sugars.*—This operation, now generally familiar, consists, in its simplest form, essentially in expressing the juice of the cut and trimmed canes by crushing between rollers; clarifying and evaporating or concentrating it in a succession of large kettles or pans, into the first of which the defecating agent is introduced, the scum (of coagulated albumen and of impurities involved in this) being removed from the first and the succeeding pans, while from the last, the syrup, brought to the crystallizing point, is transferred into coolers, in which it is agitated to promote granulation; and then removing the brown pasty mass, of crystals mingled with molasses and remaining impurities, into casks, placed within a large "curing-house," and which are perforated beneath to allow of the draining out of the molasses, this being caught in a large reservoir below. The drained product is a *brown, raw*, or *muscovado* sugar. This, if moist and considerably impure, and, especially if containing much saline matter, is still subject to loss in the way of conversion of crystallizable sugar to the uncrystallizable form.

*Improvements in the Manufacture of Raw Sugars.*—These improvements, as proposed or adopted, have generally had in view one of three objects: 1, to prevent at the outset fermentative changes in the juice, and secure its thorough defecation; 2, to concentrate it with the least possible exposure to conditions favoring chemical change, and accordingly, also, at the lowest temperatures sufficing; 3, to secure by other means also, so far as necessary, a purer, whiter, and generally improved quality of product.

Under the first head may be briefly mentioned the earlier propositions—of Mitchell, to slice the fresh cane and macerate it in hot water with lime, with a view at once to coagulate the albumen and destroy ferment, and to extract the sugar; of Payen, to defecate the juice with sulphurous acid or bisulphite of lime; of Prof. Daniell, to use subacetate of lead, as purifying more thoroughly and saving a larger percentage of sugar, but which is liable to leave poisonous lead compounds in the product; and of Dr. Scoffern, to remove the lead salt by means of sulphurous acid. Of these plans, however, none have been used to more than a limited extent, and some, as the first, have been totally abandoned.



Under the second head should especially be mentioned the process of evaporating the cane juice in the partial vacuum secured by action of an air-pump within a large air-tight pan and dome, together of a spheroidal shape, the heat being applied to the juice by means of steam circulating in a coil of pipe on the inside of the pan, or in a steam-jacket about it, or both, so that active ebullition and rapid concentration can be secured at temperatures of from 140° to 180° F.—a heat at which the risk of waste by burning and by transformation to uncrystallizable sugar is very small, and at which accordingly a larger percentage and superior quality of sugar are obtained. This apparatus, the *vacuum-pan*, with its usual accessories and its management, is, however, too well known to manufacturers generally to require a detailed description here.

The earliest of the improvements properly falling under the third head, was the now nearly obsolete practice of "claying." The sugar was, as for similar modes at present, filled into inverted conical moulds, in lieu of the coolers, to complete its crystallization and hardening, and then by removal of a plug in the apex of the mould, allowed to drain; and the latter process was completed by percolation of water from a paste of wet clay spread over the sugar, thus displacing and removing coloring and other foreign matters. This process was wasteful, and did not give a clear white nor a hard-grained sugar. Undoubtedly, the so-called "claying" with a paste of sugar, instead of actual clay, has in some cases been resorted to. But, for the raw manufacture, a more effective plan is that of filtering the defecated juice, before evaporation, through "bag filters" of thick cotton cloth, and then through bone-black. The washing of the crystallized sugar after cooling, with alcohol not very dilute, has also been practised. By neither of these methods, however, is a pure and perfectly white sugar obtained—such result being only possible when the processes proper to the *refining* of sugar, after its granulation, are employed.

The principal mechanical modes of purifying and whitening raw sugars, in the moulds, or in bulk, are the following: 1. In the so-called "pneumatic process," a vacuum is created in a vacuum-chest beneath the moulds, and with which, otherwise tight, the mouths of the moulds communicate through partitions of wire-gauze, so that the atmospheric pressure from without comes into play to force out from among the crystals the molasses and soluble matters. This process operates best when the crystals are large and firm. 2. The purifying of raw sugars by *centrifugal action*, a method originating in connection with the beet-sugar manufacture in Europe, but which has been during the last few years extending to the preparation of raw cane sugars, can, where sufficient motive power is at hand, be resorted to with advantage. The paste of crystallized sugar and syrup is run within the inner one of

two rims of a centrifugal wheel or cylinder, in some forms termed a "hydro-extractor"—essentially, a perforated plate or wire-gauze web, within an outer tight casing to catch the expelled syrup, and from which latter it is discharged by a pipe; the double cylinder, first brought to a velocity of twelve hundred to fifteen hundred revolutions a minute, is then charged from a reservoir above; and, in from five to fifteen minutes, according to the quality of the sugar acted on, the soluble matters being mainly thrown out, the machine is found to retain the crystals in form of a more or less white soft sugar.

Patents were granted in this country, in the year 1859, to Messrs. Nicolas and Champagne, for the bleaching and defecation of sugar-juices by the combined use of sulphur and lime; to Mr. R. A. Stewart, for the defecation of cane-juice by means of sulphurous acid gas disseminated through it; and to the heirs of Mr. R. B. Brashear, for a method of defecating by exposing the juice in a diffused state to the action of the gas just named, as directly evolved in the fumes of burning sulphur—all the parties named being of the State of Louisiana. In 1862, Mr. Edward Beanes, of London, patented in this country the employment of phosphate of ammonia, in conjunction with sulphurous acid or any of the sulphites, in the manufacture and refining of sugar; and also the use of liquid ammonia, in lieu of milk of lime, for neutralizing the acid developed in the process (it is stated) of refining sugar, though possibly, also, having reference to the raw manufacture. It should here be added, that sulphurous acid and the sulphites are often employed with a view, directly or incidentally, to their power of preventing or arresting fermentation in a saccharine juice; while against the sulphites at least the objection has been urged that they tend to produce a soft and imperfect grain in the sugar. In 1863, Messrs. E. T. and E. O. De Gemini, of Paris, France, patented here their method of clarifying saccharine juices by subjecting them simultaneously to molecular agitation (by means of a vertical shaft and dashers within the containing vat, or of throwing in beneath jets of steam, or of both), and to a treatment with animal charcoal and fuller's earth.

At least twenty-four different patents are recorded as granted in the United States in the year 1862, for forms of apparatus having for their sole or principal purpose the evaporation and concentration of saccharine liquids; and in the following year, twenty-two patents for apparatus having a similar object. The greater number of these, however, are evidently such as have been especially devised with a view to the successful and economical working of the juices of the *sorgho* and *imphée*, which, besides being usually concentrated in smaller quantities than the cane juice, require in some other respects, also, a peculiar treatment. (*See SORGHUM.*) Mr. S. Hoyt, of New York, secured in 1863 a patent for a series of evaporating pans, placed verti-



cally one above the other, the fire being applied under the uppermost one, and the flue thence diving beneath a second and a third, and entering the chimney—the pans having “inclined longitudinally-corrugated evaporating surfaces,” of greater extent in succession, descending, and each of the upper ones being at will discharged by a pipe into the next below.

The principle of endosmose, discovered by Dutrochet, and substantially that known in certain forms, since the researches of Professor Graham, under the names of “diffusion” and “dialysis” (see DIALYSIS, in the article CHEMISTRY, ANNUAL CYCLOPÆDIA, 1862), was applied by M. Dubrimfaut for the extraction of sugar (it would appear) directly from the beet root; the process being patented by the latter in April, 1854, but then superseded by the plan of clarifying the beet juice with baryta. The same inventor patented in June, 1863, another refining apparatus on the dialytic principle, the porous membrane through which diffusion was to take place being of parchementized paper; and this he applied for the recovery of sugar from molasses. More recently, according to a statement in the *London Produce Market Review*, M. Robert, of Seclowitz, in Prussian Silesia, has applied the principle of diffusion to withdraw the sugar (and incidentally also mineral salts, which can afterward be removed,) from the crude juice of the beet. It is said that he has thus obtained ten per cent. of sugar from the beet root, leaving scarcely a trace in the residue; that the process is believed to be applicable to the cane, and seemingly in the way of slicing up and directly macerating the stalks; that a patent has also been taken out in England for Mr. Minchin, of Aska, Madras, covering the employment of the like principle in the extraction of sugar from (it appears) the cane grown in India; that probably fifteen per cent. of the sugar in the juice can thus be obtained, and more cheaply than the less quantity secured by the ordinary modes; and that the method promises to be applicable to the extraction of sugar from sorghum and maize.

Many of the improvements which have now been named are, in fact, such as originated either in course of the investigations carried on at the outset of the beet-sugar manufacture in France, or else in the way of new agents or methods applicable to the business of refining, and which were later transferred to the working of raw cane sugar. Conflicting opinions at present exist in regard to the question how far the raw manufacture, as conducted on the sugar estates, admits ultimately of improvement; as, while some authorities urge the practicability of producing there a perfectly pure, crystalline sugar, others, although admitting that great improvements in the raw product generally are likely still to be made, claim that loaf and lump sugars cannot on the estates be successfully and economically manufactured. It is certain that in Louisiana, in Cuba, Java, Mauritius, and elsewhere, including (spite of a swampy soil and

the large amount of saline and other foreign matters in the cane juice) even Demarara, wherever improved mechanism, as the vacuum-pan, bone-black filters, etc., and a more skilled supervision have been introduced, a considerable increase in the yield of sugar, often as high as 30 to 40 per cent., and sometimes more, and also a higher market value, have been the results.

In an account, in 1861, of the sugar crops of Cuba, it is stated that in the previous season, while, of 1,365 sugar estates in operation, 409 were still dependent on the primitive plan of ox-power only, and 7 employed water-power, the other 949 were using steam-power; and it may be inferred that among this class improved methods of manufacture are also pretty generally introduced. In Mauritius, in 1863, about 100 estates were using the vacuum-apparatus; and while all of these manufactured a superior quality of very light-colored sugar, it is in the same connection asserted that the vacuum process proves in reality quite as cheap as the earlier, inferior, and more wasteful modes. The Messrs. Travers (quoted in the *Journal of the Society of Arts*, March, 1866,) say that, without resort to Reynoso's and other very recent processes, a point has already been reached when, by means of vacuum boiling, centrifugal machines, etc., white sugar can be made as cheaply as brown, and when, but for the effect of the scale of duties [speaking for England, where the better grades of white raw sugars have paid a duty 30 or 40 per cent., or upward, higher than the brown or common qualities], all sugars might be received in a state suitable for immediate use.

*Outline of the Processes of Sugar-Refining.*—Raw sugars are likely to contain, besides some water and uncrystallizable sugar, also remains of lime or other purifying agents, and of saline matters from the cane juice, some albumen and other vegetable impurities, sometimes minute portions of sand and clay, and substances of an organic nature—among them, caramel—which impart color; while in some cases they are infested with the disgusting mite known as the sugar-insect (*acarus sacchari*). Even the whitest raw sugars will, as yet, usually contain more or less of such impurities; and indeed the refining process itself seldom, if ever, turns out an *absolutely* pure sugar, though, with care and skill, it succeeds in removing all admixtures of a noxious or offensive character. The fallacy, however, of the supposition, still to some extent current, that brown sugars possess greater sweetening power than the refined, is sufficiently evident; the deception having probably arisen from the more ready dissolving of raw sugars in the mouth, and from the *flavor* of some of their non-saccharine ingredients, which is liable to be mistaken for sweetness.

The older and simpler modes of sugar-refining have, of late years, been replaced by the far more effective one of which the essential features are the new methods of filtering, concen-



trating at low temperatures in the vacuum-pan, and the treatment of the loaves with a pure syrup instead of clay. In truth, there are scarcely any two refineries in which precisely the same methods and course are pursued; and perhaps, in many of them, there are certain details of apparatus and modes of treatment which proprietors may prefer not to disclose.

The forms which the refiner aims to produce may be classed as—1, *loaf sugar*, and then (in this country now more in demand), the derivatives from it; namely, 2, *block*, or *cut-loaf*; 3, *crushed*, or *lump*; 4, *granulated*; and 5, *pulverized* or *powdered* sugar, of different finenesses; and besides these, 6, *crystals* (larger than the ordinary grain), and 7, the *soft*, or *coffee sugars*. Superior sorts of raw sugar are properly required for all but the last named, which are produced from lower grades of raw sugar, either alone, or mixed with the drainings of the loaf and crystals. The refiners of this country and Great Britain taken together, employ raw sugars of great variety—West India, Louisiana, South American (Guiana, Brazil, Chili, etc.), Mauritius, Java, and Manila cane sugars; melado; Hindostan and Indian date sugar; and finally, beet sugar, to some extent.

In refining, raw sugar is first mechanically mixed with water in a tank, and then brought into complete solution within large copper dissolving pans, known as “blow-up cisterns,” in water at 165° F., and by aid of steam, the liquor being brought to 29° B. (sp. gr., 1.250). Bullock’s blood may be added at this stage for clarifying, and with or without some fine animal charcoal; or the mixture of gelatinous alumina and silica known as “finings” may be employed. In any case, lime-water or some equivalent is added to correct acidity: the liquor may finally be skimmed, but it is at all events strained through the false perforated bottom of the dissolving pan. The solution may next be filtered through “bag filters;” and these being, when too much fouled, washed by mechanism, the impure saccharine liquor obtained may be clarified, and the sugar in it saved by employing the liquid to dissolve fresh quantities of raw sugar. In any case, the removal of the coloring matters, albumen, lime, etc., of the solution is completed by filtering through crushed or granulated bone-black, contained in large, upright cylinders. From these, the liquor issues for a time in a nearly or quite colorless condition, though it gradually begins to show color, until, in course of from 24 to 72 hours, the black will so far have lost its decolorizing power as to require to be subjected to the process of revivification. (See BONE-BLACK, etc.)

Certain methods of conducting the bone-black filtering, which are more or less peculiar, are in use. Mr. William Moller, of New York, employs a system of filtering in which, the cylinders being properly connected in *sets of three*, and furnished with air-tight covers, the course of the solution in each set is, downward through the first cylinder, upward through the second,

and downward again through the third; steam being admitted over the solution in the first cylinder, when charged, and in such quantity and so long as required to throw the solution by pressure to the top of the second cylinder, after which it of course descends through the third. The solution is believed to be, in this plan, less liable to make for itself particular channels through the charcoal, thus to some extent escaping the action of the latter; and the decolorization is said to be more thorough than in ordinary methods of filtering downward only. The Bertrand system of filtering is also to some extent introduced in this country, as at the refinery of Messrs. Havemeyers and Elder, Brooklyn (E. D.), N. Y. In this also the filters are connected in *sets of three*, and very ingeniously by means of the requisite number of pipes, in such a way that every day two of the cylinders shall be in use in filtering successively the same solution, while at the same time the third cylinder (the one which had just before been the longest in use, and so taken in order through the set, day after day,) shall be disconnected from the others, to be washed through, and to have its charcoal removed and revived. The requisite pressure for raising the solution from below the first to the top of the second filter, and for aiding the filtration, is secured by simply placing the charging reservoir on a floor above.

The filtered solution is next run through a “measure cistern” in successive charges into the vacuum-pan, the charges being made larger and fewer, the finer the grain desired. The boiling may be commenced at 180° or 170° F., and be lowered as the syrup becomes more dense to 145°, the latter, when fit to granulate, being discharged into another pan, the “heater,” and in this heated by steam for a time to 180°, and meanwhile stirred, to favor the formation of a hard grain; or the concentration may begin at 160°, raising the heat toward the close to 180°, and transferring the syrup when ready to crystallize at once into *coolers* or *granulators*. The fitness of the syrup to crystallize is ascertained by the simple means of examining a drop of it against the light, by drawing out between the thumb and finger—the ingenious device known as the “proof-stick,” enabling the sugar-boiler to withdraw for this purpose a little of the syrup from the pan, without admission of air into the latter.

The concentrated syrup, being allowed to cool and further to solidify, is finally filled into moulds, of different sizes, to drain; and as, however good the material used or careful the preparation, the sugar coming out of the vacuum-pan will show more or less color, to remove this the process of “liquoring” is now generally resorted to: a pure, white, saturated syrup is several times poured in upon the loaves, this by its water displacing the coloring impurities, and, while it can dissolve no sugar, serving to give a final coating of sugar to the crystals. After thus draining for several days,



the loaves or titlers are properly trimmed, and then dried by baking for several days in ovens heated by steam to 130° or 140°.

Certain mechanical methods have been resorted to for expediting and perfecting the draining and cleansing of the sugar in the loaves or bulk, some of them already referred to under the raw manufacture; as, by applying compressed air upon the loaves, by the vacuum or "pneumatic process," and by centrifugal action: in the last, the plan of whirling the loaves in the moulds, being regarded as dangerous, has not come into general use; but the method with the hydro-extractor or small centrifugal machine has succeeded well, being resorted to in the making of crystals, and of the soft refined sugars. The drainings from the loaves are usually once or oftener mixed with raw sugar and concentrated for sugars of inferior quality, commonly soft, and then known in the business and trade as "pieces," "bastards," etc.; but ultimately such drainings, in some cases with and in others without a separate purification, are sold as "syrops."

"Cut-loaf" sugar is formed from the loaf by means of different forms of simple mechanism; as in the use of one of the machines invented by Mr. William Moller, by first sawing into thin slabs by parallel circular saws, and then dividing those into blocks of convenient size for table use, by cutting them one at a time with a series of knife-blades, set on a stamp-head and crossing at right angles. "Crushed" sugar is prepared by crushing the loaf to lumps of varying size and shape; "granulated," by screening out from the crushed sugars, or from fragments or even entire loaves finely crushed up for the purpose, the separated crystals; and "pulverized" or "powdered" sugars, by grinding the crushed loaf, and usually with the *débris* or sugar-dust from the other operations, to a more or less fine flour; the different finenesses being then, as may be done also in case of granulated sugars, separated by screening. In England, the term "crushed" is applied to an inferior refined sugar, corresponding, it would appear, to the coffee sugars.

For the preparation of "crystals," sometimes known as "centrifugal sugar," vacuum-pans of unusually large size, and provided with extra heating surface by means of additional coils, are employed. The object being to secure large crystals, the pan is several times charged with small charges, each in succession being concentrated, but the aim being to keep the solution just dense enough to continue feeding the crystals first formed, without favoring the formation of successive crops of them; and further, in order to keep up this action, for several times in succession but one-half the contents of the pan are at a time discharged into the heater, the remaining one-half being reserved to afford nuclei for the succeeding charges of solution. The mass in a semi-fluid condition is at the proper moment speedily removed to centrifugal machines, and the syrup

being discharged, the surface of the crystals is further cleansed by sprinkling liquor into the machines by means of a watering-can—a few pints to each hundred weight. If the crystals be made too large, they dissolve with difficulty, and are so far less desirable for general consumption. (URE.) The manufacture of crystals in Great Britain is especially carried on in London and Bristol, and in some Scotch refineries.

*Recent Improvements in Sugar-Refining.*—In Cuba, as preparatory to the application of lime, Mr. Swift has, since 1860, employed the acid phosphate of lime, and M. Reynoso, more recently, the acid phosphate of alumina, as clarifying agents; either of these being put directly into the expressed juice, and a very thorough purification being thus secured. The latter salt (superphosphate of alumina) was employed in England as early as 1857, by Mr. Oxland. Regarding the use of blood for clarifying as liable to leave in the syrup some uncoagulated matters and salts, tending to promote fermentation in it, Mr. Oxland clarifies instead with the alumina salt named—12 oz. to the ton of sugar—and powdered animal charcoal. The solution was thus so completely purified that less bone-black was subsequently required; and the method was considered to render very impure raw sugars available.—*Note in Amer. Jour. of Science*, v. 25, Jan., 1858.

Mr. J. C. Tucker, of New York, obtained, in 1860, a patent for the decoloring or defecation of saccharine liquids, by use of hydrate of alumina, prepared by decomposing a solution of the sulphate of that earth by cream of lime, and to be used either with or without animal charcoal.

The use of *alumina*, as also of *baryta*, appears to have originated with the beet-sugar manufacture, in one mode of which it is still a common plan to add hydrate of lime directly to the juice or solution from the roots, and then to introduce ammonia-alum, at once to convert the lime into a sulphate, and to aid the clarification by the alumina set free. *Baryta* is still to some extent employed in France and Belgium, as a defecating agent for beet juice, in lieu of lime; though at some refineries it has, after trial, been rejected, on account of the noxious character of the residues, and the risk of poisonous *baryta*-salts in the sugar. Mr. Goessmann (previously cited) quotes M. Kessler—*Répert. de Chim. Appliquée*, 1863—as strongly favoring the use of caustic *magnesia* for defecating beet juice; though the former, from personal observation in Cuba, and from some experiments made by himself, questions whether *magnesia* will serve in the warmer climates for cane juice, while at the same time he believes it would answer well for clarifying solutions of raw sugar.

Although, in boiling with the vacuum-pan, the saccharine solutions may be kept generally at from 180° F. down to 160°, or lower, yet the steam used to heat the solution has had



most commonly a temperature above  $212^{\circ}$ , and often as high as  $225^{\circ}$ , perhaps even  $240^{\circ}$ . In consequence, portions of the syrup coming in contact with the coils and surfaces of the pan are inevitably burnt (carbonized); so that, while some crystallizable sugar becomes lost in caramel and "syrup," the increased depth of color acquired by the syrup in the pan becomes at the same time in large part accounted for.

To obviate the difficulty just referred to, Mr. W. B. Patrick, of Highgate, England, has devised a plan of heating the vacuum-pan by hot water or vapor, having a temperature considerably below the boiling-point, at the same time that air, heated to a like temperature, is distributed through the syrup from openings in other pipes within the pan, and facilitates evaporation by carrying off the vapor as formed—the entire evaporation, of course, being removed by the air-pump. The apparatus may be used either for the cane juice or in refining; and it is said to effect an increase in the proportion of crystallized sugar obtained.—*New-ton's Lond. Jour.*, 1862.

Messrs. Edw. Beanes and C. W. Finzel, England, have also patented, in succession, two forms of apparatus designed to secure the like object. In the first of these (1865), they aim to boil the syrup rapidly enough by use of hot water at or near the boiling-point, or of steam at not above  $215^{\circ}$  F. ( $1\frac{1}{2}$  lbs. pressure), securing to this end an equable heating of the pipes within the pan, by increasing their number and making them shorter. (*Ib.*, 1865.) In the second, patented also in the United States, they make the vacuum-pan of a new shape, the dome-space above, and the pan below the connecting flanges, being long and narrow, and a large number of short pipes being extended from side to side of the pan, so that during its passage through them, steam or hot water will

scarcely lose any appreciable degree of heat; while, further to secure an equable application of the heat, the hot water or steam is admitted on each side of the pan into about one-half the number of pipes. (*Ib.*, 1866.)

In the year 1859, patents (U. S.) were granted to Mr. A. H. Tait, of New York, for clarifying saccharine solutions by oxide of tin, and to Mr. John Spangenberg, of New York, for decolorizing and defecating the same with the hydrated oxide of tin; in 1860, to Mr. H. G. C. Paulsen, also of the same place, for two methods of defecating raw sugars and syrups or molasses, the one with dilute alcohol, the other with alcohol and sulphuric ether, and in both under pressure and above the boiling-points; and in 1863, to the same, for cleansing sugar in the moulds, and cooled to about  $95^{\circ}$ , by causing the passage of air, and then, by means of an air-pump and condenser, of alcoholic vapor at  $100^{\circ}$  to  $150^{\circ}$ , through the loaf,—the latter to leach out from among the crystals the remaining portions of syrup.

The employment of spirit in some form, and often in connection with acids, for cleansing sugar from molasses or syrup, has had for its aim to avoid the disappearance of some portion of sugar in the drainings. In fact, alcohol and acetic acid have been, in France and Belgium, to some extent used, since 1849, in refining, as well as in determining the percentage of sugars.

*Importation and Consumption of Sugar and Molasses in the United States.*—The following tabular and other exhibits, relative to the sugar trade of the United States, are condensed from the "Annual Statements" issued from the office of the New York *Shipping and Commercial List*. The import and consumption of unrefined sugars, at and from the port of New York, for the years ending December 31, 1863, 1864, and 1865, respectively, were as follows:

PLACES OF EXPORTATION.	Total receipts, in tons of 2,240 lbs.		
	1863.	1864.	1865.
From Cuba.....	187,232	123,428	196,227
“ Porto Rico.....	9,646	6,420	15,926
“ St. Croix, and other Danish West Indies.....	337	28	178
“ Brazil.....	4,671	1,796	3,622
“ Manila.....	3,119	5,001	4,460
“ Java.....	98	424	184
“ Barbadoes.....	457	173	890
“ Demarara.....	1,931	940	1,975
“ Jamaica, Trinidad, and other English Islands.....	1,424	292	1,143
“ Martinique.....	2,385	203	2,798
“ St. Domingo, and other West Indies.....	393	54	123
“ European, and other foreign ports.....	1,422	363	715
Total receipts of foreign, direct.....	163,120	139,127	223,241
Add, Melado (40 per cent. deducted).....	1,085	1,320	1,350
Received from Louisiana.....	32,183	10,852	107
“ from other coastwise ports.....	4,452	4,422	2,227
Total receipts.....	200,840	155,721	231,925
Add stock, January 1, of each year.....	21,256	22,640	17,065
Total supply.....	222,096	178,361	248,990
Deduct exports, shipments to San Francisco and inland to Canada included.....	4,292	19,249	1,910
Balance.....	217,804	159,112	247,080
Deduct stock, January 1, of following year.....	22,640	17,065	33,512
Taken from this port for consumption.....	195,164	142,047	213,568



There was, as compared with the preceding year, a decrease in total consumption of sugars from this port, in 1863, of 24,166 tons; and in 1864, of 53,117 tons; and an increase, in 1865,

of 71,521 tons. The following is a general statement of the receipts of foreign sugars in the United States for the same years:

PLACES OF IMPORTATION.	Total receipts, in tons of 2,240 lbs.		
	1863.	1864.	1865.
At New York, direct.....	164,205	139,127	229,591
“ Boston “.....	28,370	28,135	39,298
“ Philadelphia “.....	27,670	24,140	40,210
“ Baltimore “.....	16,562	14,401	27,655
“ New Orleans “.....	214	726	14,469
“ Other ports “.....	6,116	7,570	11,020
Total receipts of foreign.....	243,137	214,099	362,243
Add stock at all the ports, January 1, of each year.....	21,735	27,967	28,486
Total supply.....	264,872	242,066	390,729
Deduct exports, and shipments inland to Canada, from all ports.....	5,597	20,920	3,551
Balance.....	259,275	221,146	387,178
Deduct stock at all the ports, January 1, of following year.....	27,967	28,486	41,369
Total consumption of foreign, each year.....	231,308	192,660	345,809
Decrease in consumption of foreign sugars.....	10,103	88,648	.....
Increase in “ “ “.....	.....	.....	153,149
Add to the total consumption for each year, of foreign, as above, the estimated amount of crops (of one or more years) of Louisiana, Texas, etc., distributed in the given year.....	53,000	28,000	5,000
Total consumption of foreign and domestic cane sugar, in each given year.....	284,308	220,660	350,809
Decrease in total consumption.....	148,103	63,648	.....
Increase in “ “ “.....	.....	.....	130,149

The consumption of raw sugars in California and Oregon is put down, for 1864, at (probably) 10,500 tons, and for 1865 at 11,000 tons. A very great diminution of the sugar-crop of Louisiana, consequent on the troubled state of the country, marked the years 1863, 1864, and 1865. This, being accompanied in the first two of the years named with a greatly reduced demand in the country at large, did not obviously affect the importation of this staple; but in 1865, when the general demand was again largely augmented, the failure of the domestic supply inured to the benefit of foreign producers, especially in the West India Islands, and most of all in Cuba, from which the bulk of the excess of foreign sugar in that year was drawn. Indeed, although the total consumption of sugar in the country, when the yield in Louisiana was ordinarily large, has frequently been greater than in 1865, yet the consumption of foreign sugars—exceeding the nearest previous approach, in 1860, by nearly 50,000 tons—was never before so great. It was admitted that the sugar crop of Louisiana in 1866 must still be comparatively small—some 15,000 to 20,000

hhds., perhaps, and not enough to allow of large shipments; and, the demand still increasing, it appeared that the import of foreign sugars would be yet larger in the year 1866. The refineries manufacturing “clarified sugars,” or those from molasses, consumed in 1864 about 100,000 hhds. of that article, producing, say, 22,321 tons of soft sugar; and the quantities in 1865 were probably about the same. The quantity of maple sugar is estimated, for 1864, at from 26,000 to 28,000 tons; and for 1865, at 27,000 to 29,000 tons. In 1864, it was announced that a company with a large capital was about to embark in the beet-sugar manufacture in this country; and another also in that of sugar from the Indian corn, which is grown so abundantly and cheaply in the more western States; but the statements quoted give no estimates as yet of sugar from the beet, corn, or even sorghum; the chief manufacture from the last named still being that of syrup or molasses.

The following are the average prices at New York, per 100 lbs., yearly, from 1861 to 1865, inclusive, of the sorts of sugar below named:

SORTS OF SUGAR.	1861.	1862.	1863.	1864.	1865.
New Orleans.....	\$6 50	\$8 84½	\$11 16	\$18 65	\$18 75
Cuba muscovado.....	5 95	7 92½	10 77	17 22	13 84
Porto Rico.....	6 69	8 59½	11 65	18 33	14 98
Havana (white).....	8 05	10 55½	13 31	21 77	18 36
Havana (brown).....	6 36	8 33	11 34	17 74	13 33
Manila.....	5 85	7 96	10 71	16 71	12 73
Brazil (brown).....	5 83	7 93¾	10 73	16 97	12 98
Melado.....	3 33	4 79½	6 83	11 59	9 22



The highest prices of white Havana sugar in the years named, in order, were (October), \$10.25; (November) \$12.50; (October and November) \$15.50; (August) \$29.00; (January) \$26.50; and the lowest prices of the same, in the same years (June), \$6.50; (March and April) \$9.00; (January) \$11.25; (January) \$14.75; (May and June) \$15.50. The highest prices of Cuba muscovado were (October and November), \$8.75; (November) \$11.00; (November) \$13.25; (August) \$25.00; (January) \$22.50; and the highest prices of New Orleans sugar (December), \$9.80; (November) \$11.50; (November) \$14.25; (August) \$26.00; (of the first month, January) \$25.00.

Finally, the consumption of sugar *from all sources* in the United States, in 1864, is set down at 280,500 tons (a decrease of 60,000 tons from the preceding year); and in 1865, at 412,000 tons (an increase over the preceding year of 131,500 tons).

SWEDEN AND NORWAY, two kingdoms in Northern Europe, united under one king. Present king, Charles XV., born May 3, 1826; succeeded his father on July 8, 1859. Area of Sweden and Norway, 292,440 square miles. Population of Sweden, in 1860, according to the census, 2,272,687; in 1865, according to the calculation based upon the annual surplus of births over deaths, 2,412,983; population of Norway, according to the census of 1855, 1,490,047; according to the census of 1865, 1,701,478. The Swedish island of St. Bartholomew, in the West Indies, had, in 1866, 2,898 inhabitants. The Swedish budget for 1867 estimates the revenue and expenditures at 35,578,740 rix dollars each. The larger portion of the army and many civil officers receive their pay from certain crown lands, the revenue from which is not included in the budget. In the Norwegian budget, for the period from 1866 to 1869, the annual revenue and expenditures are fixed at 4,770,000

(Norwegian) dollars each. The public debt of Sweden was, in 1865, 74,068,000 rix dollars; that of Norway 8,240,700 dollars. The Swedish army consisted, in 1866, of 124,807 men. Norway, according to the new army bill of 1866, had, in time of peace, a regular army of 12,000 men, and in time of war 18,000. The landwehr is to be exclusively used for the defence of the country. The value of the imports and exports of Sweden, in 1864, was as follows: imports, 96,549,000; exports, 94,000,000 rix dollars. The imports of Norway, in 1863, were valued at 19,354,000; the exports at 14,947,000 dollars.

The old Swedish Constitution, according to which the Diet consisted of four chambers or estates, namely, those of the nobles, the clergy, the burghers, and the peasants, formally ceased by the adjournment of the Diet, on June 22d. The next Diet would consist of only two chambers. (*See* the main points of the new Swedish Constitution in the ANNUAL CYCLOPEDIA for 1865.)

SWITZERLAND, a Federal Republic in Europe.\* Area, 15,933 square miles; population, in 1860, 2,510,494. The Federal army, in 1865, consisted of 197,963 men (of whom 47,944 were reserved troops, and 64,549 landwehr). President of the "Federal Council" (the executive consisting of seven members) for 1866, Jos. Martin Knüsel, of Lucerne; for 1867, Constantin Fornerod, of Vaud.

In January a popular vote was taken on some amendments to the Federal Constitution. The third amendment, providing for the right of voting in communal affairs by citizens settled in other cantons than their own, and the sixth, providing for religious liberty, were adopted; all the others were rejected. In December the Federal Assembly voted a loan of 12,000,000 francs for furnishing the Federal army with breach-loaders.

## T

### TAXATION. (*See* FINANCES.)

TELEGRAPH, ELECTRIC. In connection with the telegraphic movements and progress of the year 1866, two great enterprises will mainly claim attention; those, namely, of the laying of the Atlantic submarine wires, and of the continued furtherance of the overland inter-continental or Russo-American line.

*The Atlantic Submarine Telegraph Line.*—Of the earlier attempts to lay a telegraph cable along the bottom of the Atlantic Ocean, from Ireland to Newfoundland, with the history of which the reading public have been generally made familiar, accounts will be found under the proper titles in the NEW AMERICAN CYCLOPEDIA, and in previous volumes of this CYCLOPEDIA.

The original "New York, Newfoundland,

and London Telegraph Company," its members all citizens of New York, and Mr. Peter Cooper president, was organized in 1854. The "Atlantic Telegraph Company" was formed in 1856; and of this, in 1858, the members were citizens of Great Britain, the United States, and the Canadas, its president at the time being Mr. Samuel Gurney, of London.

In the first attempt at the laying of a cable across the Atlantic, commenced August 5, 1857, the cable parted, with loss of the shore end, on the 11th of the same month, when 334 miles of it, starting at Valentia Bay on the western coast of Ireland, had been paid out.

\* See ANNUAL CYCLOPEDIA for 1865, for an account of the Federal Constitution, the population of each of the cantons, ecclesiastical statistics, largest cities, and the composition of the National Council.



In the second attempt, begun in mid-ocean, June 26, 1858, after the cable had several times parted and been re-spliced, but still without success, the enterprise was for the time abandoned. In the third expedition, the paying-out being also commenced in mid-ocean, and on the 27th of the succeeding July, a cable was successfully laid, its western end being landed on the 5th of August; but the transmission of signals by this, at best irregular, finally ceased about the 1st of September of the same year. A fourth expedition, and in which the steamship *Great Eastern* was for the first time employed, set out from Valentia Bay in July, 1865, laying the shore end of a cable of new and improved construction at that point on the 21st of the month named: after the paying-out of about 1,212 nautical miles' length of this, a fault became evident, and, the cable parting during the efforts made to recover the defective portion, and grappling for it proving unsuccessful, this attempt also was abandoned. It has been estimated that these (thus far) unavailing trials had already involved an outlay of not less than \$6,000,000.

The electricians in charge, at Valentia, of the shore end of the cable of 1865 continued to test daily, at the hours of 12 M. and 6 P. M., the conductivity of the core, this condition being determined in a case of the kind by comparison of the amount of resistance opposed by the wires to the passage of the current, as shown by the needle of a galvanometer placed in the circuit, with the accurately known number of "units" of resistance of another coil of given length, and charged in succession from the same battery. The general result being that the average resistance proper to the core at the moment of the rupture, although subject to marked fluctuations through the disturbing agency of magnetic storms, and even (it appeared) through that of changes of atmospheric pressure—a high barometer being attended with increased resistance, and *v. v.*—was still at other times steadily maintained, ranging in fact very close to 5,000,000,000 "units" of the standard employed, it followed that no fault or leakage of the current had supervened at any point nearer than the broken extremity; or, in other words, that the insulation and continuity, and hence the working condition, of the cable remained unimpaired. Prof. William Thomson, among others, maintained accordingly that the broken cable could still be completed to a perfect line; and under this assurance and the yet untiring efforts of Mr. Cyrus W. Field and others, in behalf of the general enterprise, it was determined to undertake in 1866 both the laying of a new cable, and the recovery and completion of the large portion remaining submerged from the previous year.

The newly-formed "Telegraph Construction Co.," composed substantially of the manufacturers, undertook to produce the additional amount of cable to make the 2,700 miles re-

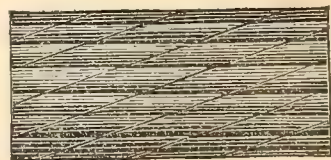
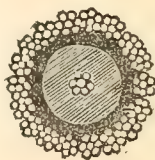
quired for both the purposes just named, and at the mere estimated cost, £500,000; but on condition of receiving the further sum of £100,000 in case of the success of the enterprise. The sums so required were to be raised by the "Anglo-American Co.," which appears meantime to have taken the place of the "Atlantic Tel. Co.;" and the profits of the line, when realized, were to be divided in certain stipulated proportions between the shareholders in the new and those in the former companies.

The cable required in addition to the somewhat more than 1,000 miles in length remaining from that of 1865, was completed early in May, 1866. The sailing qualities of the *Great Eastern* and her capability of being readily manœuvred, had been greatly improved by the clearing from the bottom of the ship of the thick coating of muscels and other marine growths, and by arranging the paddle-wheels so that either could be cast loose, the other, and aided by the screw, alone rotating. The three tanks of the great steamer admitting only 2,200 miles of cable, the screw-steamer *Medway* was chartered to receive the remaining 500 miles (part of the old cable); while the screw-steamer *Albany* and the government war steamer *Terrible*, completed the cable fleet.

The new cable was, in the main, similar to that of the year before; but the iron wire used in it had been galvanized, the better to resist rusting, and also in part annealed; and the construction was such as to throw upon the Manila yarn its proportion of the total strain. The cable was thus at once more pliable and stronger; and the yarn in it not being saturated with the tar solution before used, it was less liable to slip, when, in paying out, it might become necessary to check it with the rope-stoppers. The picking-up machinery in the bow of the *Great Eastern* was of great dimensions and strength; and this and the paying-out machine (also stronger than before, and which could now be made also to haul in,) were each connected with a 40-horse-power engine, independent of those propelling the vessel.

Cut showing a section and an exterior view of each cable drawn to the full size, so that comparisons may be readily made.

1858.

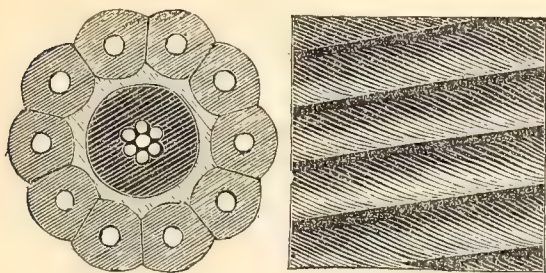


The cable of 1858 had for a conductor a copper strand of 7 wires, 6 laid around 1; weight 107 lbs. per nautical mile. The insulator was of gutta-percha, laid on in three coverings; weight 261 lbs. per nautical mile. The outer coat was composed of 18 strands of charcoal



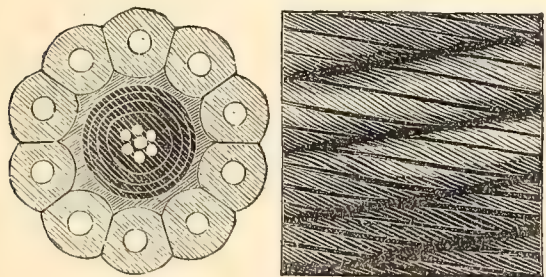
iron wire, each strand made of 7 wires, twisted 6 around 1, laid equally around the core, which had previously been padded with a serving of tarred hemp. - Breaking strain, 3 tons, 5 cwt. Capable of bearing its own weight in a trifle less than five miles' depth of water. Length of cable produced, 2,174 nautical miles.

1865.



In the cable of 1865 the conductor was a copper strand of 7 wires, 6 laid around 1; weight 300 lbs. per nautical mile. Embedded in Chatterton's compound. Insulation was effected with gutta-percha and Chatterton's compound. Weight 400 lbs. per nautical mile. The outer coat was 10 single wires, each wire surrounded with tarred Manila rope, and the whole laid spirally around the core, which had previously been padded with a serving of tarred jute yarn. Breaking strain, 7 tons, 15 cwt. Capable of bearing its own weight in 11 miles' depth of water. Length of cable, 2,300 nautical miles.

1866.



The present cable has for a conductor a copper strand of 7 wires, 6 laid around 1; weight 300 lbs. per nautical mile. Embedded for solidity in Chatterton's compound. The insulator is 4 layers of gutta-percha, laid on alternately with thinner layers of Chatterton's compound; weight 400 lbs. per nautical mile. The outer coat is 10 solid wires galvanized, each wire surrounded separately with 5 strands of white Manila yarn, and the whole laid spirally around the core, which had previously been padded with a serving of tarred hemp. The breaking strain is 8 tons, 2 cwt., and it is capable of bearing its own weight in 12 miles' depth of water. This length of cable is 2,730 nautical miles, part of which is used for completing the cable which parted in 1865.

Mr. Willoughby Smith, the inventor of an apparatus for securing continuous tests of the insulation of the core, had taken the place of Mr. De Sauty as electrician-in-chief; while the services of Prof. Thomson and Mr. C. F. Var-

ley were, on this occasion, secured to the "Telegraph Construction Company." These three gentlemen agreed upon a system by which, with the aid of the instruments invented or improved by them respectively, while messages could at any time be transmitted in either direction over the cable, the tests for insulation and continuity could also be kept up at the same time, and constantly, unless perhaps at the mere moments of reversal of the current; whereas, in the preceding expedition, the insulation test was applied only every alternate half hour, the other half hour being devoted to tests expressly of the resistance of the conductor and of its continuity.

The signalling instrument, devised by Prof. Thomson in 1858, had since been brought by him to a still higher working perfection. The image of a divided scale, reflected from a suspended mirror and viewed with a telescope, was first employed by Gauss, of Germany, for showing the magnetic deflection caused by given currents, and so measuring their strength; and Mr. J. P. Joule, of Manchester, had employed, for galvanometers to give quick indications, light needles hung by single fibres of silk—their deflections visibly indicated by light glass bars attached to them. Prof. Thompson substituted for these plans that of indications by means of a fine ray (rather, beam) of light reflected from a minute mirror carried by the galvanometer needle, this ray accordingly being caused, during the deflections of the needle due to transmitting in any desired succession brief direct and reversed currents, to shift its place to the right and left along a horizontal scale fixed about three feet in front of the mirror. The latter, of microscopic glass silvered, the inventor has reduced to a diameter of three-eighths of an inch, and a weight of about one grain. The ray of light to serve as "index," is that admitted through a fine aperture in the middle of the scale, its movements being usually confined within about two feet in length on either side.

In using this plan with the cable or similar conductor, and before, during, or after submersion, one of these "reflecting" or "mirror galvanometers" is, by means of its helix wire, connected with each end of the former. The operating battery current at either end being thrown into the conductor in brief direct and reverse charges, as required, a corresponding succession of quick movements of the needle and mirror, and hence of the indicating ray, to right or left over the scale, is produced at the other end of the wire. The Morse alphabet, as in use in England, has been employed, the *dashes* being denoted by movements of the ray to one hand, and the *dots* by those to the opposite; the combinations of these required denoting the letters; and the reading of these "light signals" being of course directly by the eye. The instrument affords the means of comparatively rapid signalling over long submerged wires, or of signalling by feeble currents



through wires of very great length or imperfect conducting power.

The "resistance" coils used for comparison in determining the insulation of the core were of great total length, and capable of subdivision into small quantities, so as to measure the resistance of the conducting wires of the cable with great accuracy. These appear to have been constructed in accordance with plans of Professor Thomson, Mr. Jenkin, and Mr. Varley; while the continuity test was made at intervals of a few minutes by means of a small condenser devised by Mr. W. Smith. Meanwhile, by use of a battery, and Mr. Varley's large condenser, equivalent to 85 miles of the cable, impulses of definite magnitude could be sent to and from the ship without interrupting the insulation test; and these being transmitted according to any understood code of signals, the shore could speak the ship, or the reverse, at any time when desired.

On the 7th of July, the steamer William Corry landed at Foilhommerum Bay, opening into Valentia Bay, the shore end of the new cable, laid the shoal-water portion of it,  $27\frac{1}{2}$  miles in length, and buoyed the submerged end. The Great Eastern, from Sheerness on June 30, and, with the other steamers of the fleet and the Raccoon, which had on board a party of visitors, from Berehaven, Bantry Bay, on the 12th of July, raised the buoyed end of the shore cable on the 13th, spliced it to that on board, and at 3:20 P. M., Greenwich time, began the paying out of fresh cable; the fleet then setting forth across the Atlantic, while the Raccoon returned with her passengers to Valentia.

By the programme arranged by Mr. Samuel Canning, chief engineer of the expedition, and approved by Mr. R. A. Glass, the managing director, the Terrible was to maintain a position ahead of the Great Eastern, on the starboard bow, to warn passing vessels out of the course, the Medway to follow on the port, and the Albany on the starboard quarter, in readiness to let go or take up a buoy, or do other required work; and between the great ship and the other vessels communication was kept up by means of Maryatt's and Coulomb's marine signals. The course of the fleet was such as to deposit the new cable about 30 miles to the south of that of 1865; the average speed of the ship was a little less than 5, and length of cable paid out about  $5\frac{1}{2}$  nautical miles per hour; and the strain on the cable, July 16, is stated at a little over  $10\frac{1}{2}$  cwt., the depth of water being then from 1,900 to 2,100 fathoms. July 18, at 2:20 A. M., a foul occurred in the after tank, some 500 feet of the rope becoming caught up and badly tangled; but the paying-out being stopped in time, the snarl disentangled, and the tests showing the conductor uninjured, the work was resumed without loss.

On Friday, July 27, at 8 A. M., the squadron arrived off Heart's Content, Trinity Bay, Newfoundland, the distance run being 1,669 miles, and the cable paid out 1,864 miles,

showing a total "slack" of about 11 per cent. On the same day the end of the cable was brought to shore by the Medway; and Mr. Field telegraphed intelligence of the completion of this part of the work to President Johnson, and others—to the former in these words:

HEART'S CONTENT, Friday, July 27, 1866.

*To His Excellency, President Johnson, Washington.*

SIR: The Atlantic cable was successfully completed this morning. I hope that it will prove a blessing to England and the United States, and increase the intercourse between our own country and the eastern hemisphere.

Yours, faithfully,  
CYRUS W. FIELD.

The fleet, having again taken in coal, proceeded to search for the cable of 1865, the Albany and Terrible succeeding, August 10, in grappling and buoying it in latitude  $51^{\circ} 27' 30''$  N., longitude  $35^{\circ} 50' W.$ , and the Great Eastern and Medway arriving on the 12th and taking part. The cable, which was here in a little more than  $2\frac{1}{8}$  miles of water, was caught with the grapnels ten times in all, being twice brought to the surface, and on other occasions buoyed. Finally, September 1, the Great Eastern having partly raised and buoyed the cable, and then caught it again three miles to westward, the Medway also caught it two miles farther on, and the Great Eastern brought the "bight" on board. A splice being effected, in latitude  $51^{\circ} 52' 20''$ , longitude  $36^{\circ} 5' 20''$ , on the 2d, at 6:45 A. M., the work of paying out was commenced; and the laying of the remaining portion, completing a second cable, was successfully accomplished.

Communication having been made by the American lines to the eastern shore of Nova Scotia, a cable was, in 1856, laid thence across the Gut of Canso, one and one-half miles, to Cape Breton Island. From this, land lines extended northward on that island to Port Hood, and thence to Aspy Bay, on its northeastern coast. In the year just named, also, a cable was laid from Aspy Bay, eighty-five miles, across the entrance to the Gulf of St. Lawrence, to Port au Basque, on the western coast of Newfoundland; while a land line connected this point again with Heart's Content. On the landing, therefore, of the first Atlantic cable, uninterrupted communication with Europe would at once have existed, but for the giving-out of the St. Lawrence Gulf cable in 1865. After the second Atlantic cable had been completed, the broken cable from Newfoundland to Cape Breton was also repaired, and a second cable laid between the same points.

In the careful working of either Atlantic cable, from ten to twelve or fifteen words per minute can be transmitted; the number, in case of less strictness, rising to twenty or twenty-four. The charges are £10 in gold for a message of twenty words, all numerals to be written out, and, with date and address of sender, counted; messages in cipher at double the same rate.



*The International, or Russo-American Line.*

—An account of the inception of this enterprise, including notice of the original grants, of the assumption in 1864 of the work by the previously-existing "Western Union Telegraph Company," under the name of the "Western Union Extension," and to some extent of the proposed route, will be found in the volume of the *ANNUAL CYCLOPEDIA* for 1864.

On the 31st of August, in the year named, the certificate of final formation of a company for the purpose in question, its president being at the time Mr. Hiram Sibley, and Mr. O. H. Palmer being then, and still, secretary, was executed at Rochester, N. Y. The company is therein stated to be organized under the laws of the State, its corporate rights having been granted April 1, 1851, for a period of one hundred years. A special "extension stock" was created of 100,000 shares of \$100 each, a portion of this, sufficient to cover the expense of active operations, being subscribed for and paid in.

On the 2d of February and 28th of May, 1865, the sanction of the Emperor of Russia was accorded to the "Collection of Laws and Regulations of the Imperial Russian Government," relating to the construction and maintenance of the telegraph line through the dominions and dependencies of that power in Eastern Asia and Western North America. Among the privileges granted by the government are, the rights to construct and maintain a telegraph line from the city of Nicolaievsk (or Nicolavsky), at the mouth of the Amoor River, through the maritime district of Behring's Strait, and thence through Russian-American possessions to a junction with the American telegraphs; to work this line for a period of thirty-three years from the time of its opening to the public—the terms of the grants from foreign powers being all, in this respect, closely similar; to occupy and hold for the time (without acquiring permanent possession, or authority over the inhabitants), such lands as required for the maintenance of stations, guard-houses, etc., and to have the use of such timber as may be needed for the work; and until the end of three years after its conclusion to import materials, tools, provisions, etc., through Russian-Asiatic ports, free of duty. The government, at the same time, engages to complete, and within the period specified for the company, the link of telegraph still required inland, that, namely, from Verchne-Udinsk—the then eastern terminus of the Russian lines—for 1,800 miles, to Habarovka, to which point a line was already in operation up the Amoor, six hundred miles from Nicolaievsk; and, in order further to encourage the enterprise, to grant from the date of the completion of the line an allowance of forty per cent. on the net produce of dispatches coming from the Russian lines, to and from America, and based on an estimate to be made yearly of the relation of net produce to gross income of lines within the empire itself; while

among the conditions, more strictly so called, imposed by the government, are, that its dispatches, at stations within its own dominions, shall have precedence in time over private messages; that the company shall complete the work (unless in case of extraordinary impediments) within five years; and shall forfeit the grant and rights, and of course the allowance of forty per cent., if the work be not so completed, or if, after any stoppage of working of the line, its operation (save in case of hinderance by insurrection or war) shall not be reëstablished within one and one-half years.

A confirmation of the imperial grant, and of the determination to render all possible aid in carrying it into effect, is conveyed in a communication to the American Company from Count Tolstoy, Minister of Posts and Telegraphs for the empire, October 6, 1865.

Of the Western Union Extension Company, Mr. J. H. Wade was, in 1865, elected president. Upon the recommendation of Colonel Charles S. Bulkley, engineer-in-chief of the work of exploration and construction of the intercontinental line, the members of the expedition have been organized into a land and marine service, similar to those of the United States, and with similar official grades and discipline; and the entire service being also "uniformed," the effect was found to be not only conducive to order, but also to a favorable impression on the natives of the regions traversed.

Of the general land service, Colonel Frank N. Wicker was made chief, the like relation to the American division being intrusted to Captain Edmund Conway, and in the Asiatic to Major Serge Abasa, a Russian nobleman, some time a resident of Rochester, and well informed in respect to the people, languages, and customs of Eastern Siberia. The marine service was placed under charge of Captain C. M. Scammon, of the flag-ship *Nightingale*. Several other vessels were employed in the work of the expedition, these being generally, and, perhaps with the sole exceptions of the *Wright* and *Rutgers*, loaded with telegraph wire, etc., and with supplies—a part of them at San Francisco, and others at Victoria, with portions of the wire sent from England. Four vessels had in 1865, and the early part of 1866, sailed from England, having on board some 5,000 miles of wire, the required length of cable, machinery, etc., and being destined for ports in the North Pacific. The Russian Telegraph Department had also forwarded from Hamburg materials for the Amoor Junction line. The Secretary of the Navy, furthermore, under an act of Congress, detailed the United States steamer *Saginaw*, and the Russian Government the steam corvette *Variag*, to assist the company in the carrying out of the enterprise. The secretary of the company states the total number of steamers and other vessels in its service, May, 1866, at twenty-four.

It had been stated, in the early part of the



year 1865, that a line from those of California was in the preceding November completed to Victoria, Vancouver's Island. A cable across Puget Sound was, however, still required; and this having been laid, a dispatch from Victoria, April 24, 1865, and which reached Washington within twenty-four hours, announced accordingly the completion of the line. From Victoria, by way of New Westminster, up the Frazer River to Quesnelle, at the mouth of a branch of the same name, thence northward along a chain of lakes and smaller streams to Fort Frazer (on Frazer Lake), and to Fort St. James, at the foot of Stuart Lake, in all a distance of about 700 miles, a telegraph line was in 1865 already in operation. From this point, by way of or near to Behring's Strait, and to the mouth of the Amoor, by the route as thus far explored or conjecturally located, the distance has been estimated at 3,700 miles; and it is within this extent that the work of the company is chiefly to be done.

In order to expedite this work, Colonel Bulkley decided to commence at several points simultaneously, and assigned to certain officers of the service their respective districts. The explorations within British America fell to Captain Conway and Major Pope, and during the winter of 1865-'66 were actively pushed forward. A route was explored along Lakes Stuart, Tremble, and Tatala, and the connecting streams. Navigation by boats (*batteaux*), interrupted at some points by rapids and otherwise, is carried on from Frazer River to the extremity of the lake last named. At this point, distant by the course of the streams from Quesnelle about 300 miles, the "Bulkley House" was established as a basis of future operations; while another route having been partly explored by the west shore of Stuart Lake, and along Babine Lake to Babine Fishery, 150 miles, a depot of supplies was established here also. Much of the country along the streams and lakes was well wooded, some of it heavily so; and at or near to all points telegraph poles could be had; but there were places where the rock was entirely bare, and where holes for the posts must be made by drilling. Game (birds excepted), and also fish, are plentiful throughout this entire region—the salmon and white-fish especially, ascending Frazer and the other rivers and their tributaries, in great numbers.

Portions of the party advanced to Fort Connelly, on the eastern shore of Connelly's Lake; while Major Pope, about 300 miles beyond Bulkley House, reached the headwaters of the Stekeen River, and explored it to the sea. During the autumn of 1865, Captain Coffin explored the Skeena or Simpson's River, and the Nasse, a branch of this; and examination of the country about the headwaters of these streams was still going on. The Stekeen is northward of the river last named, its outlet being within Russian territory; and, like many of the other rivers mentioned, it is navigable through much

of its length. Mr. Perry Macdonough Collins, the originator of the enterprise, states that from the Stekeen the line will probably extend along the foot-hills of the coast range to Pelly River, at Fort Pelly Banks, still a station of the Hudson's Bay Company, and thence to the Yukon, in Russian America.

The explorations in Russian America were assigned to Major Robert Kennicott, who, on the 8th of September, 1865, reached his base of operations, Fort St. Michael's (Michaeloffsky), a post of the Russian American Co., situated on a small island near to the mainland, and on Norton Sound. Mr. Bulkley has received trustworthy assurance that this river and the Yukon are one. This immense stream, containing, at least in its lower portions, many islands, and discharging its waters by many mouths, which embrace a delta of very great extent, has been, for magnitude, compared with the Missouri; and though the amount of alluvium carried down by it has rendered many of its outlets shallow, others are believed to be deep enough to admit vessels of moderate draught, while the stream itself has been declared navigable for at least 1,000 miles from its mouth. The discharge of alluvium by this and the rivers of the Asiatic side, appears to have so filled the whole of Behring's Sea—lying north of the chain of the Aleutian Islands—as to make this comparatively shallow; while south of these islands the depth passes abruptly into that of the ocean. Major Kennicott, for some time in failing health, was, by members of his party, found dead, May 13, 1866, near Fort Nulato, in the region referred to above. No report of the results of explorations there made has yet been met with.

Mr. Collins indicates the general course of the line, in the regions now considered, as lying between the Coast or Cascade Range and the Rocky Mountains. Among the advantages of following this great valley are, that the air is free from the moisture present along the coast—the North Pacific being much warmer than the same latitudes on the eastern side of the continent—hence, cooler and drier, and that the forests are less dense.

On the 12th of July, 1865, the *George S. Wright*, screw-steamer, and of about 300 tons burden, with Colonel Bulkley on board, left San Francisco, proceeding along the coast to Sitka, thence into Behring's Sea, and to Fort St. Michael's; and, after an examination of the shores of Behring's Strait, to Plover Bay, on the Asiatic coast, and to Anadyr Bay, thence reaching Petropaulovsky on the 21st of October. During the voyage, Colonel Bulkley effected communication with some of the exploring parties along the route, and directed their movements, as well as those of certain vessels of the expedition; and, finally, setting sail direct for San Francisco, he arrived at that port on the 20th of November. June 23d, 1866, he again left, on the same vessel, designing to go in reverse direction over the same



route, and arrived at Petropaulovsky, July 25th. Two late communications from him, and from which many statements of this article are drawn, appeared in the *New York Herald*, of dates of November 10, 1866 (from Petropaulovsky, August 1st), and December 15, 1866; the latter giving a view of the organization and of explorations up to the early part of 1866, and the former an account, up to the date of sending, of the explorations on the Asiatic side.

Colonel Bulkley found that the narrowest portion of Behring's Strait afforded no suitable landing-places for the cable; but that, farther south, safe harbors, and with mud bottom, presented themselves,—on the American coast, in Grantly Harbor, opening into the eastern side of Port Clarence, and on the Asiatic, in either Penkegu Gulf or Abolesher Bay, opening into Seniavine Strait; while the intervening waters have a bottom of mud, sand and gravel, their depth being about thirty fathoms. Owing to the steady northward current, which continues below even when the surface movement is changed by strong winds, and to the shallowness of water, icebergs are here unknown, and shore-ice alone is to be dealt with. The country east of Behring's Strait, as on Norton Sound, is without timber, but covered with a heavy growth of moss, and, in some places, with small, stunted bushes. The Siberian side is more mountainous, without timber, and with but little moss, except in the valleys. The poles for this part of the route, of sawed cedar or red-wood, have been provided at Puget Sound.

The length of cable required for crossing Behring's Strait, between the points named, is 178 nautical miles. That required to cross Anadyr Bay, and for which also fit landings were found, is 209 nautical miles. The cable for these lines is of about the size of the present Atlantic cables. It was made by Henley & Co., England, and in February, 1866, shipped for Behring's Strait, *via* Victoria.

Space will here allow only of the general results of the explorations on the Asiatic coast, full information in respect to which may be found in the articles already referred to, and in the published "Statement" of the Company. Major Abasa, leaving San Francisco, July 3, 1865, in the Russian brig *Olga*, reached Petropaulovsky on the 8th of August, and, with Lieutenant Kennon, left for the interior, traveling up the peninsula of Kamtschatka to Ghijiga, or Ghijinsk, at the head of the gulf of that name (one of the northeasterly extensions of the Okhotsk Sea), and to Okhotsk, at the extreme northwestern part of the same sea, and thence, it appears, west and south to Port Ayan. Captain Mahood and party reached Nicolaievsky, August 17th, and explored the route thence to Ayan, and to Okhotsk—this following the coast through much of the distance, but with a marked exception in the country of the Tungusi, where, to avoid the coast mountains, it proceeds inland by a valley heretofore little

known, and which the tribe named, having previously kept it secret for their own use, revealed to the explorers. The coast mountains referred to lie between Okhotsk and Ayan, and extend far inland; but the asserted impassability of their bases next the sea, has later been rendered doubtful by the proposition of the Government to build a postal road along this coast. From Ghijiga to Anadyrsk, situated some 360 miles up the Anadyr River, the route was explored by Lieutenant Kennon, who thence passed down the Anadyr to its opening into Anadyr Bay; while Captain Macrae, setting out in November from the latter point, travelled by a circuitous route thence to Anadyrsk; and both these explorers proceeded from that place again to Ghijiga, to report to Major Abasa. Lieutenant Kennon made the important discovery of a branch of the Anadyr, the Myan, the headwaters of which are near to those of the Penjinsk River; so that, both streams being navigable for small boats, there exists an almost continuous water communication from the Okhotsk Sea, not far east from Ghijiga, to the point at which the Anadyr Bay cable will be landed. Thus, it appears, that the entire extent over which land lines will be required in Eastern Asia, has been found feasible for their construction. Along most of the route south of Anadyr Bay, also, sufficient timber exists; though the required poles must be transported in some places, where the line crosses mountain ranges, or extends over the moss swamps upon which the reindeer feed. Besides, the somewhat extensive travels of Messrs. Abasa, Mahood, Kennon, Macrae, and their companions, appear to have demonstrated that the various fixed and nomadic tribes along or near the route, the Kamtschadales, Koriaks, Tungusi, and even the Tchuktchis, of more northern Siberia, hitherto considered savage, will prove entirely friendly; while Mr. Bulkley gives a like character to the Indians of the northwestern American coast.

It may now, indeed, be said with probability that the entire route of the proposed line, upon both continents, has been explored and determined. In the Asiatic division, workmen have been secured, and the work begun at several points, as at Anadyrsk, Ghijinsk, Yamsk, Taousk, and Okhotsk, poles being cut and buildings for stations and supply depots constructed. Mr. Paul Anossoff had been appointed superintendent of the line in Eastern Siberia. It is anticipated that the whole line may be completed and in operation in course of the year 1868. The transmission of messages along land lines of such length is rendered comparatively easy by use of the so-called "mechanical repeaters," now for some time familiar to practical telegraphists, and which, being interposed at the requisite intervals in the course of a wire, may be said to revive and reproduce the original strength of the current, otherwise exhausted, thus renewing the signals sent, without the necessity of introducing new batteries and operators to repeat the dispatches.



*Important Submarine Wires, or Telegraph Cables.*—The following is believed to be a nearly complete list of the more important submerged or cable lines which have been laid, and which, so far as known, are now in operation, or, as in case of one of them at least, suffering an interruption which is probably but temporary. The total number here given is *sixty-one*.

Time of Laying.	Geographical Position.	Length in Miles.	No. of Conductors.	Time in operation, to July, 1867, about
1851.....	Dover to Calais.....	27	4	16 years.
1853.....	Denmark—across Belt.....	18	3	14 “
“.....	Dover to Ostend.....	80½	6	14 “
“.....	Across Frith of Forth.....	5	4	14 “
“.....	Port Patrick to Donaghadee.....	25	6	14 “
“.....	Across River Tay.....	2	4	14 “
1854.....	Port Patrick to White Head.....	27	6	13 “
“.....	Sweden to Denmark.....	12	3	13 “
“.....	Italy to Corsica.....	110	6	13 “
“.....	Corsica to Sardinia.....	10	6	13 “
1855.....	In Egypt.....	10	4	12 “
“.....	Italy to Sicily.....	5	3	12 “
1856.....	Newfoundland to Cape Breton.....	85	1 strand.	11 “
“.....	Across Gut of Canso.....	1½	3	11 “
1857.....	Across Norway Fjords.....	49	1 strand.	10 “
“.....	Across mouths of Danube.....	3	1 “	10 “
“.....	Ceylon to Hindostan.....	30	1 “	10 “
1858.....	Italy to Sicily.....	8	1	9 “
“.....	England to Holland.....	140	4	9 “
“.....	England to Hanover.....	280	2	9 “
“.....	Across Norway Fjords.....	16	1 strand.	9 “
“.....	South Australia to King's Island.....	140	1 “	9 “
“.....	Ceylon to Hindostan.....	30	1	9 “
1859.....	At Alexandria.....	2	4	8 “
“.....	England to Denmark.....	368	3 strands.	8 “
“.....	Sweden to Gothland.....	64	1 “	8 “
“.....	Folkestone to Boulogne.....	24	6 “	8 “
“.....	Across Rivers in India.....	10	1	8 “
“.....	Malta to Sicily.....	60	1 strand.	8 “
“.....	England to Isle of Man.....	36	1	8 “
“.....	Jersey Island to Pirou (France).....	21	1 strand.	8 “
“.....	Liverpool to Holyhead.....	25	2 “	8 “
“.....	Across Bass's Strait.....	240	1	8 “
1860.....	Denmark—across Great Belt.....	14 } 14 }	6 } 3 }	7 “ }
“.....	Dacca to Pegu.....	116 (?)	1	7 “
“.....	Barcelona to Port Mahon.....	180	1	7 “
“.....	Minorca to Majorca.....	35	2	7 “
“.....	Iviza to Majorca.....	74	2 strands.	7 “
“.....	Cape San Antonio to Iviza.....	76	2 “	7 “
“.....	Corfu to Otranto (?).....	90	1 “	7 “
1861.....	Across Norway Fjords.....	16	1 “	6 “
“.....	Toulon to Corsica.....	195	1 “	6 “
“.....	Holyhead to Howth (near Dublin).....	64	1 “	6 “
“.....	Malta to Alexandria.....	1,535	1 “	6 “
“.....	New Haven (England) to Dieppe.....	80	4	6 “
1862.....	Fortress Monroe to Cape Charles.....	23	1 strand.	5 “
“.....	Pembroke to Wexford.....	63	4 “	5 “
“.....	Across Frith of Forth.....	6	4	5 “
“.....	England to Holland.....	130	4	5 “
“.....	Across River Tay.....	2	4	5 “
1863.....	Sardinia to Sicily.....	211	1 strand.	4 “
“.....	Persian Gulf to Kurrachee (Hindostan).....	1,450	1	4 “
“.....	Otranto to Avlona.....	60	1	4 “
1865.....	Biserta (Tunis) to Marsala.....	165	1	2½ “
“.....	Across Dardanelles.....			2½ “
“.....	Sweden to Prussia.....	55	3	2 “
1866.....	Corsica to Leghorn.....	66	1	18 mo's.
“.....	Across Puget Sound.....	32	{ 7 wires in } 1 strand.	14 “
“.....	Valentia to Newfoundland.....	1,864		11 “
“.....	Valentia to Newfoundland (completed from 1865, about).....	1,864		10 “
“.....	Newfoundland to Cape Breton.....	85		10 “

In the list given, it will be obvious, several cables crossing wide rivers and other similar bodies of water on the American continent, are not included. A cable was laid along the coast from La Calle in Algeria to Biserta, in 1865,

but the statements met with throw doubt upon its success. About September of the same year, several cables were laid connecting French islands of the ocean and the British Channel, and comprised within the semaphoric system



of the coast, with the mainland; these, it appears, to be used also, for the benefit of shipping in the vicinity, in connection with the code of signals by the semaphores, as now employed in France and England. Electric communication with the semaphoric stations at Cape St. Vincent and at Sagres had for the like purpose been established by the Portuguese government.

On the 8th of July, 1865, communication by the Persian Gulf cable was interrupted; but the difficulty was overcome in the early part of August following. A dispatch from Valetta, December 11, 1866, stated that the Malta and Alexandria cable was again ruptured, and about 230 miles from the last-named place. An attempt to repair it was soon to be made.

[Since the above account was written and in type, the—until very recently—unexpected information has been given to the public, in a letter from the office of the Western Union Telegraph Company, and addressed to the Secretary of State, dated March 25, 1867, that the work on the intercontinental line has been indefinitely suspended. The chief reason stated for this step is the fact of the now demonstrated success of the Atlantic cable lines—a single one of the two cables being declared as yet more than sufficient for the amount of business actually offering. The Western Union Extension Company had, however, already erected their wires northward to Simpson's River, eight hundred and fifty miles beyond New Westminster. They state that the anticipated concessions in Eastern China are also withheld; and they now invoke the influence of the Government of the United States with that of Russia, to secure the construction of a line by the latter power to some point in its past or present possessions on this continent; when they propose to complete and maintain the remaining length of telegraph line required, to such Asiatic or Russian terminus. It had been previously stated, that an extension from United States lines through Mexico, and Central and South America, was also in contemplation; and that steps had been taken toward securing the coöperation of the Governments interested in such undertaking.]

*Miscellaneous.*—Besides the connection between European telegraph lines and those of Persia, effected by means of the Anglo-Indian line through Turkey to the Persian Gulf, another connection was early in 1865 made with both the networks of Persia and Turkey, by means of a Russian line entering the former of these two countries near Djoufa—a route by which also some reduction is effected in the rates of communication with India. The Turkish lines being about the same time further united, at El Arisch, with the Egyptian, communication with Egypt thus became practicable independently of the Malta and Alexandria cable. On the American continent, besides such as have already been noticed, important lines or systems of lines are in contemplation also, or being actively forwarded, in Mexico,

Chili, Paraguay, Brazil, and Venezuela. Succinct notices of these and some other recent telegraphic enterprises, and a very full account of the rates for dispatches on the chief lines, especially of the Eastern Hemisphere, will be found in the French *Annuaire* for 1865-'66.

TELLIER, Very Rev. REMIGIUS JOSEPH, Superior of the houses of the Society of Jesus in New York, Canada, and among the Indians bordering the lakes, born at Soissons, France, in 1796; died at St. Mary's College, Montreal, January 7, 1866. He became a Jesuit, October 11, 1818. After some years of travel, and having been appointed rector of the College of Chambéry, M. Tellier was selected by the General of the Jesuits, with five of his colleagues, to go to Canada, where the Roman Catholic Bishop of Montreal had requested the Pope to send some members of the order. From the death of the last of the native Canadian Jesuits, Father Cazot, in 1800, there had been no establishment of the order in that country until the arrival there, in 1842, of the six gentlemen above mentioned. These were, besides M. Tellier, the Rev. Fathers Chazelle, Luiset, Martin, Hanipaux, and Duranquet. For eight years after their arrival the Jesuits had the charge of the parish of La Prairie, and Father Tellier officiated there for two years. After this he was employed among the sick Irish emigrants at St. Charles Point during the prevalence of ship fever, founded the church of St. Patrick's in Montreal, and was for three years stationed in Upper Canada. Subsequently he was sent to the United States, where he was at first Prefect of Studies and President of St. Francis Xavier's College, and afterward at St. John's College, Fordham, N. Y. In 1859 he was named Superior of the Order, and returned to Montreal, where he passed the remainder of his life in deeds of active usefulness.

TENNESSEE. The Legislature of this State, at its first session in 1866, gave expression by a variety of measures to the political views of a majority of that body, with reference to the relations of the State to the Federal Government, and to the policy of the President and of Congress. In the month of January, both branches adopted a series of resolutions endorsing the course of the President, of which the following are the most important:

*Resolved, by the General Assembly of the State of Tennessee, That, confident in the integrity, political honesty, and exalted patriotism of Andrew Johnson, President of the United States, we hereby pledge to him our hearty sympathy and support in his efforts to restore all parts of the United States to the blessings of peace and union.*

*Resolved, That patriotism is national and not sectional, and knows no north, no south, no east, no west, and embraces in its arms the whole broad country, recognizing the rights and welfare of all people and races within its ample bounds to equal and exact justice before the law; and regarding, as we do, Andrew Johnson as the embodiment of this sentiment, we pledge him our support as the President of the United States.*

*Resolved, That, in retaining as his constitutional ad-*



visers the Cabinet of the late President, Abraham Lincoln, we have the pledge and security that the policy that guided the administration of the exalted patriot amid the storms of war will be pursued now that peace and prosperity smile upon our beloved country.

The following law was passed, for the benefit of persons of African and Indian descent :

*Be it enacted by the General Assembly of the State of Tennessee,* That persons of African and Indian descent are hereby declared to be competent witnesses in all the courts of this State, in as full a manner as such persons are by an act of Congress competent witnesses in all the courts of the United States, and all laws and parts of laws of the State excluding such persons from competency are hereby repealed.

*Provided, however,* That this act shall not be so construed as to give colored persons the right to vote, hold office, or sit on juries in this State; and that this provision is inserted by virtue of the provision of the ninth section of the amended constitution, ratified February 22, 1865.

The most exciting subject before the Legislature was the proposed disfranchisement of every person in Tennessee who gave aid or comfort to the enemy in the late war. A number of members of the lower House, in order to prevent the passage of such a measure, withdrew from that body, and laid the reasons for their action before their constituents and the people of the State. They charged that the bill violated the State constitution; that it lodged the control of the ballot-box in the hands of the Governor, giving to him the appointment and direction of over eighty commissioners, and denying to the loyal citizen the right of appeal from the decision of those officers, who would be subjected to no penalty for violations of the law. The retiring members remained at the capitol, watching their opportunity to make their opposition to the bill still more effectual. In the mean time the friends of the franchise bill had succeeded in gaining a quorum by admitting several members elect whose credentials had been a subject of dispute; whereupon the retiring members presented a petition for admission to their seats in the House. This was referred to the committee on elections, which was equivalent to keeping them out. The bill was then produced, and was passed by a vote of 41 to 15. The full strength of the affirmative vote, if all who favored the measure had been present, would have been 49; while the vote of the bolting representatives, if admitted, would have made no change in the result. The bill readily passed the Senate, and was signed by the Governor. Its main provisions are as follows: The first section provides for the disfranchisement of all citizens, otherwise qualified, who have voluntarily borne arms for, or given other assistance to, sought, accepted, or exercised the functions of office under, or yielded a voluntary support to the "so-called Confederate States of America, or any State whatever, hostile or opposed to the authority of the United States Government." The second section provides for the appointment by the Governor of a commissioner in every county in the State, whose duty it is to enforce this

act, to determine who are entitled to vote, and to issue certificates of qualification, and fixes the compensation of said commissioner at from two to five hundred dollars. The third section requires all persons claiming the right to exercise the elective franchise to prove by two witnesses, who must themselves be entitled to vote under this law, that they have been guilty of none of the disqualifying acts before they shall receive the certificate of the commissioner (an appointee of the Governor), without which they cannot vote. The fourth section requires, in addition to the evidence of the two competent witnesses, an oath as follows, to be taken by the person claiming the privilege of the elective franchise, before being permitted to exercise the right claimed :

I solemnly swear (or affirm), that I have never voluntarily borne arms against the United States Government, with an intent to aid and forward the late rebellion; that I have never voluntarily given aid, comfort, countenance, or encouragement to any rebellion against the authority thereof, or aided, countenanced, or encouraged acts of hostility thereto; that I have never sought or accepted any office, civil or military, or attempted to exercise the functions of any office whatever, under the authority, or pretended authority, of the so-called Confederate States of America, or of any insurrectionary State hostile or opposed to the authority of the United States Government, with intent and desire to aid and forward the late rebellion; that I have never yielded a voluntary support to any pretended government, power, or authority, hostile or inimical to the authority of the United States Government; that I will support the Constitution of the United States, and defend it against the assaults of all its enemies; that I am an active friend of the Government of the United States, and that I will heartily aid and assist the loyal people in whatever measures may be adopted under the Constitution of the United States, and under the laws and proclamations made in pursuance thereof, to establish and maintain the national authority over all the people of every State and Territory embraced in the National Union; that I have never desired at heart the success of the so-called Confederacy, but have at all times rejoiced at its defeat, and the success of the armies of the United States; that I will at all times render paramount allegiance to the Government of the United States, in preference to any State of the Federal Union, and will support and defend the National Government against the encroachments and attacks of all foreign powers; that I will faithfully and heartily support and defend the Constitution of the State of Tennessee, and the schedule and amendments thereunto appended and adopted by the people on the 22d of February, 1865, and all acts of the General Assembly in accordance therewith; that I take this freely and voluntarily, without equivocation or mental reservation—so help me God.

In the fifth section, the bill declares that, upon the evidence heretofore named as absolutely necessary, the commissioner may issue the certificate of qualification, provided that "nothing herein contained shall prevent the said commissioner from receiving equally competent testimony contrary to and contravening the proof offered and taken in behalf of said applicant; and the commissioner shall be the judge of the effect of the conflicting testimony."

Governor Brownlow called a special session of the Legislature, to convene July 4th, for the



purpose of ratifying the proposed amendment to the Constitution of the United States. In the Senatorial branch, 21 members answered to their names; but in the House there was not a quorum, only 51 representatives being present. On the 11th of July the Senate ratified the amendment, by a vote of 14 to 6; but the House was still without a quorum. The speaker was therefore directed to issue warrants of arrest for eight of the refractory members, and the sergeant-at-arms authorized to employ such assistance as might be necessary to enforce obedience and bring the absentees before the House, to answer for their disorderly conduct and contempt. One of the representatives, on the 5th of July, tendered his resignation to the Governor, and received the following reply:

EXECUTIVE DEPARTMENT, July 5, 1866.

Hon. M. E. W. Dunnaway:

SIR,—As it is evidently the design of your resignation to reduce the House below a quorum, and to break up the Legislature, the same is not accepted.

W. G. BROWNLOW.

Mr. Williams, member from Carter County, sent in a communication, declaring that he could not, and would not, participate in adopting the proposed amendment until he had first submitted it to his constituents, and he, therefore, refused to attend the session.

The Governor applied to the military commander of the district for assistance in bringing the fugitive members back to their duties, when the following correspondence took place:

NASHVILLE, TENN., July 14, 1866.

Lieutenant-General Grant, Washington:

Some of the members of the House of Representatives of the Tennessee General Assembly conduct themselves in a very refractory manner, absenting themselves to prevent a quorum, thus obstructing business.

The Governor cannot manage them with the means at his disposal, and has applied to me for military assistance. Shall I furnish it?

GEO. H. THOMAS,

Major-General Commanding.

WASHINGTON, D. C., July 17, 1866.

General Grant will instruct General Thomas that the facts stated in his telegram do not warrant the interference of the military authority.

The administration of the laws and the preservation of the peace in Nashville belong properly to the State authorities, and the duty of the United States forces is not to interfere in any way in the controversy between the political authorities of the State; and General Thomas will strictly abstain from any interference between them.

E. M. STANTON, Secretary of War.

The sergeant-at-arms of the House succeeded in arresting and bringing before the bar of the House two of the absentees, thereby making a quorum, when the constitutional amendment was put to vote, and ratified by 43 to 11. On the same day application was made to Judge Frazier, of Nashville, for a writ of *habeas corpus* in the cases of Messrs. Williams and Martin, the persons so arrested and detained. Writs were issued; and Mr. Huydt, the sergeant-at-arms, having refused to obey, an attachment was then issued against him for contempt of court. This writ was placed in the hands of a

deputy-sheriff and a squad of policemen, who proceeded to the capitol, but, finding their entrance prevented by a white man and negro, armed, avoided a collision, and got into the building through a window, when Huydt was arrested, and brought before Judge Frazier, who discharged him on payment of costs. Both Martin and Williams were released on the writs of *habeas corpus*, no resistance being made thereto by the House, the object of the session having been accomplished by the passage of the amendment. Martin and Williams were, in fact, in the committee-room during the proceedings, and refused to vote. The speaker decided that there was no quorum present, and, therefore, that the ratification had failed. But the House, by a vote of 42 to 11, overruled the decision of the chair, and the amendment was declared to have been adopted; but it was ordered that the fact of Williams and Martin being present, but refusing to vote, be entered on the journal.

The Legislature met again in November, and received a message from Governor Brownlow, in which he said:

In my message addressed to you in October, 1865, the subject of colored suffrage is discussed in all its bearings. Upon a careful review of that paper, I still approve the sentiments therein expressed, and respectfully refer you to them. An eventful year, however, has passed since it was written; and, while unforeseen events have happened, contingencies therein contemplated have also occurred. The colored race have shown a greater aptitude for learning and intelligence than was expected, and by their good conduct and steadfast loyalty have rapidly won upon the good opinion and respect of the white race; while the late rebels, under the encouragement of the President, have shown less disposition to return to true loyalty than was hoped for. These manifestations have occasioned a rapid advancement of the national sentiment in favor of impartial suffrage.

In the message to which I have alluded, while candidly admitting that "negro voting cannot suit my natural prejudices of caste," it is yet stated that "there is a class of them I would be willing to see vote at once." The opinion is also expressed, "that negro suffrage is bound to follow as one of the great results of the rebellion; and that the time would come when it would be proper and right," but that the time had not yet come, the great objection being to "the immediate and indiscriminate enfranchisement of the negroes;" but it is directly insisted, in the message to which I refer, that "if rebels are to be restored to the rights of the elective franchise, let us no longer deny those political rights to the late slaves, who have been faithful among the faithless." I still adhere to the opinion that "all this great outcry against a negro voting, in any contingency, comes from a lingering sentiment of disloyalty in the South."

In all the States lately in rebellion, except Tennessee, the rebels have been fully "restored to the rights of the elective franchise," and even in our own State, under a somewhat stringent suffrage law, a large number of disloyal persons are unavoidably allowed to vote. Whether the time when it is "proper and right" to confer the ballot upon the colored man, or whether that time is approaching at which that sacred right shall accrue to him, are questions demanding your earnest consideration and final decision. The admirers and followers of the President cannot, with any show of consistency, oppose the enfranchisement of the negro. In an



authorized statement of his opinions, made public by his direction, long since his accession to the Presidency, he declares that if he were "in Tennessee he would endeavor to introduce negro suffrage." He declares that he would *begin* with three classes of negroes to be admitted to vote at once: "those who had served in the army; those who could read and write; and those having a property qualification of \$200 or \$250." Thus, by a system not very gradual, he desired to extend the privilege to the entire race. If what is termed the Radical party in the Legislature shall agree with the President and his followers on the question of negro suffrage, it would seem that an excellent opportunity for agreement and conciliation on a vexed question will be presented, and that the negro may be enfranchised with unanimity. As for myself, while I have confessed to those prejudices of caste, resulting from education and life-long habits, I am free to say that I desire to act in harmony with the great body of the loyal people of the Union. I think we should not, without great and controlling reasons, sever ourselves from that great national party whose wisdom and courage saved the life of the nation, and rescued the loyal people of Tennessee from the hands of the oppressor.

A bill was introduced in the House to repeal the franchise law and give suffrage to the negroes; in other words, to couple universal suffrage and universal amnesty in one act. This was laid on the table by a vote of 39 to 29. At a subsequent session the Governor sent a special message to the Legislature, in which he again called attention to the negro suffrage question. He said:

I must therefore be permitted to express the hope, that this General Assembly will not cease its present session without the passage of the bill granting suffrage to all loyal males properly qualified by age and citizenship. Onward is the watchword which shields and inspires two continents! Now is the time for Tennessee to show to the world that she belongs to the advance guard on the great question of equal suffrage! With the loyal men of the State allowed to vote, the Government thereof will remain in loyal hands. Without their votes, the State will pass into disloyal hands, and a reign of terror not so easily described as realized will result.

During the early part of the year several collisions occurred, without serious results, between colored soldiers and white citizens of Memphis. On the 1st of May these difficulties culminated in a riot, which lasted the two following days, and was not suppressed until a considerable loss of life and property had ensued. Accounts differed greatly in respect of the origin of the disturbances, and the distribution of the blame. The following is the official report made by General Stoneman:

HEADQUARTERS, DEPARTMENT OF TENNESSEE, }  
MEMPHIS, May 12, 1866. }

*Lieut.-Gen. U. S. Grant, U. S. A.:*

Your telegram of this date is received.

The Third colored artillery has been stationed here since its organization, and consequently were not under the best of discipline; large numbers of the men have what they call families living in South Memphis, contiguous to the fort in which the soldiers were stationed. These soldiers had been used as the instruments to execute the orders of government agents, such as provost-m Marshals, bureau agents, etc., and consequently had been more or less brought directly in contact with the law-break-

ing portion of the community, and the police, which is far from being composed of the best class of residents here, and composed principally of Irishmen, who consider the negro as their competitor and natural enemy. Many negro soldiers have, from time to time, been arrested by the police, and many whites, including some of the police, have been arrested by the negro soldiers, and in both cases those arrested have not unfrequently been treated with a harshness altogether unnecessary. These remarks and hints will lead you to reflections which will explain and indicate to you the state of feeling which existed between the negro soldiers and their sympathizers, and the lower class of the whites and their sympathizers, in which last are included agitators, demagogues, and office-seekers. The testimony before the commission, which I have assembled to investigate the circumstances connected with the riots, shows that at about four o'clock Monday afternoon, April 30th, four policemen were walking down Coussey Street, and met three or four negroes; they jostled each other on the sidewalk; an altercation occurred; one of the policemen struck a negro with a pistol, and was in return struck by another negro with a cane. There was no further trouble, though a good deal of excitement existed among the negroes during that night.

Incident on this encounter, about 4 p. m., on Monday, May 1, a crowd of from fifty to seventy-five negroes, mostly discharged soldiers, were congregated together near the corner of Main and South streets; the greater portion of these negroes were intoxicated. Six policemen approached the crowd and arrested two of the most boisterous of the negroes. The policemen proceeded to conduct these two negroes toward the station-house, being followed by the crowd of negroes, which increased as they proceeded, and who used very insulting and threatening language, and accompanied their threats by firing pistols into the air. The police turned and fired upon the negroes, wounding one; one of the negro prisoners escaped, and the other was released by the police. The negroes returned the fire, wounding one of the police. The police force of the city, together with a large crowd of citizens, congregated together in the vicinity of South Street, and being very much infuriated, proceeded to shoot, beat, and threaten every negro met with in that portion of the city. This was continued until about midnight on Tuesday night, when it was quelled by the interference of a detachment of the United States troops. Wednesday morning arrived, and found large crowds of people collected together in South Memphis, most of whom were armed. They remained there until about one o'clock p. m., when they were dispersed by a detachment of United States soldiers, which had been employed during the day in keeping the discharged negro soldiers in and the white people out of the fort. During the day several negro shanties were burned down. About ten o'clock on Wednesday night a party of mounted men began to set fire to negro school-houses, churches, and dwelling-houses. It is hoped that the investigation now being had will result in identifying the parties engaged.

During Tuesday and Wednesday, several inoffensive negroes were killed, and many maltreated and beaten in different parts of the city. The number killed and wounded in the riot, as far as ascertained by the commission, was one white man wounded (shot by negroes). The number of negroes shot and beaten to death has not yet been ascertained. I will give you the information when procured. Frequent applications were made for arms and permission to organize a militia force, all of which were refused; and on Thursday I issued an order, prohibiting any persons, under whatsoever pretext, from assembling anywhere, armed or unarmed. Great fears were entertained that other buildings, such as the Freedmen's Bureau building, and the office of the Mem-



*this Post*, would be burned down; but if any such intentions were had, the disposition of the small force at my disposal prevented the realization. An attempt was made by some parties to gain possession of the muskets which a few days before had been turned in by the Third colored artillery. Every officer and man here was on duty day and night during the week. On the 4th they were relieved by a detachment I had ordered over from Nashville.

As before stated, the rioters were composed of the police, firemen, and the rabble and negro-haters in general, with a sprinkling of Yankee-haters, all led on and encouraged by demagogues and office-hunters, and most of them under the influence of whiskey. It appears in evidence before the commission, that John Creighton, recorder of the city, made a speech to the rioters, in which he said, "We are not yet prepared, but let us prepare to clean every negro out of town."

Very few parolled Confederates were mixed up with the rioters on Tuesday and Wednesday, the larger portion being registered voters. Who composed the incendiaries on Wednesday night remains to be developed.

GEORGE STONEMAN,  
Major-General Commanding.

MEMPHIS, TENN., May 18, 1866.

*To Lieutenant-General Grant:*

I have the honor to report that it appears upon investigation by the commission, that there were killed outright during the recent riots at Memphis, twenty-four negroes, eight of whom were discharged soldiers.

GEORGE STONEMAN,  
Major-General Commanding.

The losses in property were estimated at about \$120,000.

The *Memphis Commercial* gave the following detailed statement of the principal occurrences on the second and most terrible day of the riot:

What is presented below, however, can be relied upon, as it either came under our own observation, or the information was imparted to us by others who were present. Day had no sooner dawned on the morning of yesterday than the conflict began to rage anew between the whites and blacks, notwithstanding the efforts made by the county and city officers to check it. Shots were exchanged, the negroes firing from a mound lying due east from the forts on South Street, and from their shanties, which lay just in the rear of South Street, outside the corporate limits, and which cover an area of land about a square mile in extent. The whites were scattered along South, Cousey, and Hernando Streets, and subsequent to the firing of the first few shots became so infuriated and blind with rage, adverting to the proceedings of the day previous, and more particularly to the killing of Dunn, that all efforts of the officials in attempting to restrain them were entirely disregarded. It was during this period of frenzy and of rage that about six negroes were killed. When the news, wild and exaggerated as it was, reached the upper part of the city about ten o'clock, that the riot was in progress on South Street, and had assumed large proportions, it created considerable consternation. Parties were running here and there in search of fire-arms, horses, etc., while others were congregating on street corners discussing as to what course should be pursued. Sheriff Winters and his efficient deputies, General Wallace and others, immediately set about summoning a posse of three hundred men. As fast as a body of twenty or thirty men were collected, they were supplied with shot-guns and ammunition. Several squads were then armed and equipped. Upon arriving at the front, the cause which had called them together had fortunately almost ceased to exist, for the day at least.

Previous to the arrival of either the sheriff's force or the Sixteenth United States regulars, chief of police Garrett was engaged in organizing and drawing up into line the members of the police and such citizens as were in the vicinity of the corner of South and Main Streets. It was while these men were standing in line on the ground known as the Old Norris Cemetery, that fifteen or twenty negro soldiers banded together, and took possession of a cabin situated on a hillock about one hundred and fifty yards distant, and poured two or three volleys into the ranks of Captain Garrett's men, none of whom, strange to say, were in any degree injured. Mayor Park, while standing in the vicinity, narrowly escaped being wounded, perhaps killed, several of the balls scattering the dust over his garments. After remaining about the sheds twenty minutes or thereabouts, the negroes coolly retired within the fort, taking their arms and ammunition with them. The next hour, were it not for the strenuous exertions of the sheriff's force which had arrived on the ground, and the police under charge of Captain Garrett, might have been fraught with the most disastrous evils, so high and so uncontrollable were the passions of the crowd. By stationing guards at the different crossings leading beyond South Street, the excitement was partially allayed, and the crowd, numbering about five hundred in all, began to disperse, and leave for their homes. After this, peace and quiet prevailed generally throughout the day, being disturbed but once, and that was caused by the burning of a negro school-house and about five negro cabins which were first pillaged by a set of thieving young rascals, not unknown in the criminal annals of Memphis, and were set fire to and burned to the ground. Captain Smythe, commanding a squad of regulars, arrived on the spot, and through the assistance rendered him was enabled to stay the progress of the flames and prevent a repetition of similar conduct. While talking to a number of negroes within the fort yesterday, it became evident to us that the excitement extended among the negroes to even a greater degree than among the populace. Among the wild stories which they heard were, that the negro women and children were being burned, and that almost every negro in the upper part of the city had been killed. Some spoke in a rather conciliatory tone, while others were quite indignant. The police, yesterday, again displayed that discretion and judgment which is so highly commendable, in rescuing negroes from the hands of the crowd, and committing them to places of safety. The best evidence of this is the fact that no less than eight or ten negroes in the fort said to us that, if it were not for the police, they would not then be alive. About five o'clock yesterday evening the scene of the late riot appeared as if nothing had happened. Negroes could be seen here and there on the streets, some at work and others walking carelessly along. The same state of affairs was perceptible over the entire southern part of the city.

On the 22d of February the "Union State Convention" met at Nashville, Hon. Henry Cooper presiding, and adopted resolutions opposing any attempts of Congress to force negro suffrage upon the South; opposing also any interference with the constitution; for approving of a guaranty of the payment of the public debt, and the pardon and protection of all the inhabitants of the land in the enjoyment of life and liberty; indorsing the policy of the President, and especially his message vetoing the Freedmen's Bureau Bill.

A novel instance of criminal jurisprudence was reported to have occurred at Murfreesboro, where two freedmen had a quarrel, in which



one of them received wounds which subsequently proved fatal, and the case was tried before a jury of twelve black men, in the Freedmen's court. The jury returned a verdict of "manslaughter in the second degree" (that is unintentional); but, after the court had explained the return of their verdict, they again retired, and returned with a verdict discharging the prisoner.

In a trial which occurred at Memphis, two colored women were offered as witnesses.— They were objected to by the counsel for the defence, but the court decided that, under the recent act of the Legislature, they were competent to testify. The counsel again objected that they did not understand the obligations of an oath; whereupon the court examined them and found that, although they had a good conception of the moral obligations of an oath, they had no idea of a prosecution for perjury, and on that ground rejected them.

Owing to the differences of opinions and interests which prevail between a large number of the inhabitants of "East Tennessee" and those of the rest of the State, a convention was called to meet in Knoxville on the first Thursday in May, to consider the propriety and expediency of forming a new State, to be known as "East Tennessee." The convention was attended by delegates from all the counties of that part of the State, and continued during two days. S. R. Rogers, of Knox County, presided. An address, giving a statement of reasons for a division of the State, and the following resolutions, were adopted :

*Resolved*, That it is the sense of this convention that it will be best for the peace and happiness of all the people of the State, that the district known as East Tennessee should be formed into a new State.

*Resolved*, That the president of this convention be, and he is hereby, authorized to appoint three persons, who, in conjunction with himself, are requested to proceed at once to Nashville, and request, in such mode as they may deem most expedient, the Legislature to pass a law giving its assent to aid the measure, provided a majority of the people of East Tennessee vote for it.

*Resolved*, That the president of this convention be requested to appoint persons to prepare and publish an address to the people of East Tennessee, setting forth our reasons for this grave step.

The debt of Tennessee, January 1, 1866, was as follows :

SPECIES OF DEBT.	Original.	Interest.	Total.
State debt, proper.....	\$3,594,607	\$849,553	\$4,444,160
State bonds loaned.....	14,006,000	3,769,507	17,775,507
State bonds indorsed....	2,207,000	550,680	2,759,680
Aggregate debts and liabilities .....	\$20,107,607	\$5,169,740	\$25,277,347

Included in the above estimate are State bonds to the amount of \$331,000, issued to railroad and turnpike companies, after the passage of the ordinance of secession, but which had been previously authorized by the Legislature, for the payment of which no provision has yet been made. Under the head of "State debt

proper" are classed all issues for turnpike stock, bank stock, railroad stock, and public purposes for which the State is directly liable. The class "State bonds loaned" covers all issues which have been loaned on the security of the works for which they were separately made, and also an issue of \$30,000 to the Agricultural Bureau. The bonds indorsed by the State were exclusively for railroad companies; those for the Memphis and Little Rock Railroad were, in fact, bonds of the city of Memphis, loaned to that company and indorsed by the State. A law passed by the Legislature has provided for the issuing of six per cent. coupon bonds, dated January 1, 1866, and payable January 1, 1892, to an amount sufficient to pay off all bonds and interest past due, as well as those which fell due in 1866, issued or indorsed by the State previous to the so-called act of secession, passed May 6, 1861.

**TERRITORIES OF THE UNITED STATES.** The Territories of the United States remained in 1866 the same in respect to organization and name, as in the preceding year. A bill to admit Colorado into the Union as a State failed to become a law by reason of the President's veto, and it was found impossible to carry the measure by a two-thirds vote over the veto. An act erecting Montana into a surveying district was also vetoed.

**ARIZONA.**—The development of the resources of this young Territory was greatly retarded in 1866 by the ravages and threatening demonstrations of the Apache Indians, who, according to Governor McCormick, number about 5,000 persons, including 1,000 warriors. These Indians have no permanent home, but are essentially nomadic. They are by nature cowardly, treacherous, and bloodthirsty, seeking every advantage in warfare, never attacking equal numbers, and, by their alert movements in small bands over an immense area of country, elude detection or capture unless constantly pursued. Their range is east of Tucson, the Pima villages, Wickenburg, and Prescott, west of which they seldom venture; and their raids are upon the roads connecting these towns with each other, with the forts to the eastward, and with New Mexico, and upon the mining and farming camps scattered along the Hassayampa, the Agua Frio, the Verde, the Salinas, the upper Gila, and throughout that part of Pima County east of Tucson, and that upon the Sonora line.

They have resisted all attempts to civilize them, and, in the opinion of experienced military officers, their extermination is indispensable to the safety of the Territory. A constant force is required to keep them in subjection, as they will not observe treaty stipulations. Captain George B. Sanford made a successful expedition against them from Fort McDowell. With ninety-one enlisted men he left the fort on the evening of the 27th September, and, by marching mostly by night, succeeded in penetrating some ninety miles into the Apache country before he was discovered. Then, by a



rapid march and headlong charge down the side of a mountain, over rocks and among trees and bushes, and through places "which it would seem impossible to pass even on foot," his force succeeded in completely routing the enemy, killing fifteen, taking nine prisoners, and capturing a large quantity of Indian stores.

Mining attracts the chief attention, but the Territory has vast agricultural resources. A communication from Lieutenant Du Bois, at Fort McDowell, to the Commissioner of Agriculture, says: "This post, established in 1865, is on the Rio Verde or San Francisco River, near its junction with the Salinas River. The Government reservation, comprising twenty-four square miles, lies on both sides of the river, and a farm was started this spring, an *acequia* four miles in length, being constructed for its irrigation." Corn and sorghum had been planted, and, at the date of the letter, were ready for harvest; the corn-stalks averaging fifteen feet in height, and the sorghum yielding its third crop since planting. Vegetables of all descriptions flourish, and cotton and wheat have been extensively cultivated by the Indians.

The general election was held on September 5th. Coles Bashford, Charles D. Poston, and Samuel Adams, all professing Union sentiments, were candidates for delegate to Congress. The issue appears to have been upon the Territorial administration. Bashford, a warm supporter of Governor McCormick, was elected by a majority of several hundred. Party lines were drawn in but one county (Yarapai), where the Democratic ticket was successful by a small majority. Members of both branches of the Legislature were elected throughout the Territory. The total vote was 1,695. Bashford over Poston 491, over all 323. The Legislature consists of a Council of nine members, and a House of eighteen. The apportionment is made on the basis of 614 persons to one member of the Council, and 307 for one member of the House. The Surveyor-General has been instructed to establish and survey the base, meridian, and other lines embracing settlements.

DAKOTA.—In Dakota the standard parallels, townships, and subdivisions, have been extended within the Sioux Indian reservation, west of Big Stone Lake, and so as to enclose a small northern bend of that reservation falling within the Minnesota line, the aggregate of the surveys there being equal to four hundred and twenty miles, embracing fourteen townships, containing a total of one hundred and fifteen thousand one hundred and eight acres of the Sioux or Dakota Indian lands. It is stated that immigrants are rapidly settling into the Territory, from the Eastern, Middle, and Western States, and from foreign countries. This Territory, however, possesses finer attractions, in the way of rich mineral deposits and fertile lands, than many other localities, while the hostility of the Indians has proved a serious obstacle to its settlement. Treaties made with these roving

Indians are soon broken, and they attack the unsuspecting and defenceless. Even the military posts maintained in the Territory are not exempt from assault. On December 21st there was a massacre of United States troops, near Fort Philip Kearney. Three officers and ninety men were killed, not one of the company escaping; all were killed and scalped, their bodies stripped, and cut with knives and tomahawks, and pierced with arrows. The troops were gradually allured to a point four miles from the fort, when they were surrounded and slaughtered.

This new post, in the centre of the mountain district, Department of the Platte, and also in the heart of the chief hunting-ground of the hostile Sioux and Cheyennes, and being the first substantial occupation of the new short route to Montana, deserves notice. The expedition sent to establish it left Fort Philip Kearney May 19th, under command of Colonel H. B. Carrington, Eighteenth United States Infantry. Fort Philip Kearney is in the forks of the Piney Creeks, on a natural plateau 800 by 600 feet, with a natural slope or glacis on all sides.

The stockade is of pine, hewn to a touching surface, pointed, loop-holed, and after the general plan of Mahan. At two corners are block-houses of eighteen-inch pine logs. The parade-ground is 400 feet square, and was surveyed and laid out before the turf was cut by any wagon-track. Walks 12 feet wide cross the parade, bending around a circle of 15 feet radius, where a flag-staff of 100 feet displays the national colors. A graded street of 20 feet borders the parade. The additional 200 by 600 feet is a quartermaster's yard, with warehouses and shops.

East of the fort, and taking in Little Piney, is a corral for stock, hay, wood, etc., with palisade 10 feet high, and quarters for teamsters, citizen employés, etc.

This massacre has aroused the attention of the Government, which has been actively preparing to commence a vigorous and decisive campaign against the hostile Indians in Dakota, Kansas, and Nebraska, in the spring of 1867. At the last election, the total vote was 847. W. A. Burleigh was chosen delegate to Congress, by a majority of 339. The Legislature is divided as follows:

	Council.	House.
Republicans, .....	0	6
Conservatives, .....	13	18

There are seven counties in the Territory.

IDAHO.—This Territory has for some time been the favorite resort of miners, on account of the surpassing richness of its mineral deposits. In addition to an almost exhaustless supply of gold and silver, nearly all the metals useful to mankind, and employed in the arts, are found in great abundance, and will require the industry of centuries to develop and utilize them. The annual product of the mines cannot be ascertained, as the greater part of the crude



bullion is assayed in Oregon and other places. The amount returned by the private assayers in the Territory, for the year ending June 30th, was \$535,105, but this sum probably does not express a tenth part of the entire receipts from the mines.

Political matters do not engross much attention in a country where all are intent upon amassing a fortune. The Legislature of Idaho unanimously indorsed President Johnson's reconstruction policy, and the administration of Governor Lyon, pledging both a hearty support. The House granted a Territorial charter for a branch of the Pacific Railroad from Salt Lake City to Columbia and the valley of Smoke River. This action was taken in February. The next session was held at Boise City, December 3d. At this session a bill was passed appropriating \$30,000 for the support of the Catholic schools in the Territory.

The election was held August 13th for a delegate to Congress. The entire vote was 6,564. Holbrook, Democrat, was chosen by a majority of 718.

The Idaho Legislature stands as follows: Council—7 Democrats, 3 Union; House—17 Democrats, 3 Union. No disposition is manifested to agitate the question of State organization at present.

The Commissioner of the General Land-Office has sent instructions to the Surveyor-General of Idaho to begin the survey of the Territory. The instructions require the Surveyor-General, after having obtained the necessary information, to establish the initial point of surveys either on a conspicuous mountain, or a confluence of streams, which point will be the intersection of the principal meridian with the base line governing those surveys; also to commemorate the initial point by a conspicuous and enduring monument, signaling the spot with appropriate inscriptions thereon.

The Indians have committed serious depredations upon stock, and Idaho papers are filled with accounts of murders and robberies by them. Active efforts are made to check these incursions.

**INDIAN TERRITORY.**—A few years ago an appropriation bill was passed by Congress, which contained a clause to this effect: that the President be authorized, at his discretion, to treat with the Indian tribes now residing in the State of Kansas, for their removal to some part of the Indian Territory. The tribes affected by this action are the Sacs and Foxes, Chippewas and Munsees, Pottowattamies, Delawares, and Miamis, Peanhaskaws, Meas, Kaskasheas, and Peorias, Kickapoos, Shawnees, Ottawas, Wyandottes, and Osages.

During the war, treaties had been concluded with several of these tribes, mutually beneficial to themselves and the Government. The first tribe with which arrangements were consummated were the Seminoles, concluded March 21, 1866. By this treaty renewed pledges of peace and friendship are made, and

a complete amnesty for all offences arising from the war. Slavery is entirely abolished, and the freedmen placed upon an equal footing with the remainder of the people. This equality was the more easily accomplished in the case of the Seminoles, since there had already been a considerable intermingling of the races before the tribe removed from Florida, and several of the interpreters accompanying the delegation representing the tribe appeared to be of purely African blood. The Indians ceded to the Government the entire domain secured to them by the treaty of 1856, amounting to (estimated) 2,169,080 acres, for which they receive the sum of \$325,362. They receive a new reservation of 200,000 acres at the junction of the Canadian River with its north fork, for which they pay \$100,000. A right of way for railroads is granted through the new reservations. The Indians agree to the establishment, if Congress shall so provide, of a general council in the "Indian country," to be annually convened, consisting of delegates from all the tribes in the proportion of their numbers respectively, and to have power to legislate upon matters relating to the intercourse and relations of the several tribes resident in that country, the laws passed to be consistent with the treaty stipulations and Constitution of the United States. This council is to be presided over by the Superintendent of Indian Affairs.

The next treaty in this series was made with the confederated nations of Choctaws and Chickasaws, April 28, 1866. It contains the usual provisions for the reestablishment of peace and friendship, of amnesty, and the abolition of slavery in every form. The Indians cede to the Government the whole of that tract of land known as the "leased lands," which have been long held (rented by the Government) for the use of Indians removed from Texas, and amounting to 6,800,000 acres. Right of way is granted for railroads through the reservations, upon compensation for damages done to property, and the tribes may subscribe to the stock of such roads in land, such subscriptions to be first liens on the road. The provisions in regard to a general council are agreed to with more detail than in the other treaties, and its powers clearly defined, so as to establish, for many purposes, not inconsistent with the tribal laws, a territorial government, with the superintendent as governor, the Territory being named "Oklahoma." Provision is made for a secretary of the council, and for pay of members, and for a marshal of the Territory; and a clause is added looking to the establishment of an upper house, to consist of one member for each tribe. The educational funds of the Indians under former treaties are to remain invested, and payments under former treaties to be renewed. Provision is made for surveying and allotting the reservations when desired, and for the return to the Indian country of scattered members of the tribes. Land is set apart for county buildings and for religious and educational purposes.



Indians from Kansas are to be received with equal privileges with the people of the two tribes, though not to participate in annuities, and land for their use is to be paid for at \$1 per acre. Members of these tribes are to be received as competent witnesses in the United States courts. Criminals taking refuge in their country are to be returned upon requisition. Post-offices are to be established in the country.

The next treaty in this series was made with the Creeks, June 14, 1866. This treaty reestablishes peace and friendship, declares amnesty for past offences, and establishes the freedmen in full equality of rights and privileges, as well as a share in the national soil and funds. The adjustment of this question occupied a long time. The treaty, as finally agreed upon, guarantees to their freedmen full equality. The Indians cede to the Government, to be used for the settlement thereon of other Indians, the west half of their domain, estimated at 3,250,560 acres of land.

The last of the four treaties with tribes in the "Indian country" was made with the Cherokees, concluded July 19, 1866. More difficulty was experienced in arriving at the consummation of a treaty with the Cherokees than with any of the other tribes or nations of the Indian country. The general features of the treaty are as follows: The treaty made with the Confederate States, October 7, 1861, is repudiated by the Cherokees, and the Government grants an amnesty for all past offences. A United States court is to be established in the Territory. All distinctions between the two portions of the people may be abrogated by the President at the desire of those parties. Slavery is abolished, and the full rights of the freedmen are acknowledged. The right of way for railroads is secured; consent is given for a general council, as in the Seminole treaty. Provisions are made for the settlement of friendly Indians of other tribes among the Cherokees in two methods, either by abandoning their own tribal organization and becoming practically a part of the Cherokee nation, and residing in a more compactly settled and eastern part of the domain, or by retaining their tribal existence, and settling farther West; in either case, land occupied by them to be paid for at prices to be agreed upon between the Government and the Cherokees. The tract of 800,000 acres in Kansas, known as the neutral lands, is ceded to the Government in trust, to be surveyed and sold for the benefit of the Indians, the proceeds to be invested for them in the proportion of 35 per cent. for education, 15 per cent. for an orphan fund, and 50 per cent. for the national fund.

A treaty was also concluded with the Chipewas.

MONTANA.—This distant region presents many attractions to immigrants, and is rapidly growing in population and importance. Its immense mineral resources amply repay the labor requisite for their development, and constitute

the elements of steady and permanent growth. The total mineral product of the Territory this year is estimated by the miners at \$25,000,000. Apart from its minerals, the Territory possesses many extremely fertile valleys, and, it is asserted, fine facilities for grazing. Gallatin valley produced, in 1866, 60,000 bushels of wheat. The Governor is Green Clay Smith, of Kentucky, in place of Thomas Francis Meagher, resigned. The population has been, for the most part, transient, though it is thought nearly half the entire number remained through the winter.

Montana forms part of the Dakota surveying district, and is remote from the seat of the Surveyor-General's office. In consideration of this fact, and of the unsettled condition of the plains, growing out of Indian incursions, it has been deemed proper to defer surveys in that Territory until the ensuing season.

A telegraph line has been completed between Virginia City and Salt Lake, thus bringing the Territory in immediate and direct communication with all parts of the country.

From May to October over 2,500 passengers were carried over the stage-line between Fort Benton and Helena; and during the period named, 9,068 tons of freight passed from Benton to Helena; 4,375 freight-wagons passed over the same road. Forty-five steamboats, with passengers and freight, landed at Fort Benton from St. Louis, and other points in the East. This is the first season that this trade has been carried on to any extent.

In common with other Territories, Montana has suffered from Indian depredations, and murders have been frequent. The number of troops stationed at the different posts is small, and, watching their opportunity, the savages have from time to time succeeded in murdering at least 150 soldiers. The Legislature is divided as follows: Council—11 Democrats, 2 Republicans; House—22 Democrats, 4 Republicans.

NEBRASKA.—This State has an area of about 76,000 square miles, with a river frontage on the Missouri of nearly 300 miles. The word Nebraska is of Indian origin, signifying *Ne*, water, and *braska*, wide or shallow, and being applied to the Platte River, the principal tributary of the Missouri, which runs centrally through nearly the entire length of the State, from east to west, was afterward used to name the Territory. The face of the country is gently-rolling prairie. The climate is pure, dry, and healthy, and somewhat milder than in the same latitudes at the East, and the soil rich and easy of cultivation. For purposes of grazing and stock-raising, Nebraska is peculiarly favored, and by a local law, sheep, to the raising of which much attention has of late been given, to the number of 500, owned by a single individual, are exempt from taxation. The chief products of the State are Indian corn, wheat (spring and fall crops), oats, hemp, tobacco, sorghum, hay, and vegetables of all



kinds. Grapes of the finest quality are also produced in great quantities. Iron, coal, and salt have recently been found, and are believed to exist in abundance. Although not as rich in mineral wealth as its western neighbors—Montana and Idaho—Nebraska presents rare opportunities to the immigrant for success in the pursuits of agriculture, and its liberal free-school system, which furnishes free schools for one-half of the year, and will speedily the year round, is far ahead of that of any of the new States or Territories. The population of Nebraska is estimated at about 90,000. Its capital is Omaha City, which is situated on the Missouri River, opposite Council Bluffs, Iowa, and is the principal depot of outfit for westward-bound emigrants. Omaha is also the eastern starting-point of the Union Pacific Railroad, which traverses the central portion of the State, running parallel with the Platte River, which it crosses near the junction of the North and South Forks, some 300 miles west of the city, and beyond which point the road is now in successful operation.

By the completion of the Chicago and Northwestern Railroad, across Iowa, from Clinton, on the Mississippi, to Council Bluffs, opposite Omaha, the broad and fertile valley of the Platte—the rich central portion of Nebraska—is brought in direct railroad communication with the East and South, and the increase in population and material wealth, which must inevitably ensue to the new State, cannot be overestimated. During the late war for the Union, Nebraska furnished three regiments for the Federal armies.

The movement for admission into the Union as a State was first agitated in 1863 and 1864, and in March of the latter year Congress passed an enabling act preliminary to such admission. Under the provisions of this act a convention was held, a State constitution adopted, which, being submitted to the people on June 2, 1866, was ratified by a majority of 100 in a poll of 7,776 votes, and a Governor, State Legislature, and member of Congress—all Republicans—elected. The Legislature so chosen subsequently met at Omaha, and elected the Hon. Thomas W. Tipton and the Hon. John M. Thayer—both Republicans—United States Senators. These facts being certified to Congress, Senator Wade, on December 5th of the same year, introduced a bill for the admission of the State of Nebraska into the Union. It was at once referred to the Committee on Territories, and by them reported back on December 10th. After some days spent in debate, the bill was, on motion of Senator Edmunds, amended, so as not to take effect save upon the condition that within the State there should be no abridgment or denial of the right of suffrage, or any other right, on account of race or color, and on January 19, 1867, passed by a vote of 24 to 15. In the House this amendment was stricken out and one of Mr. Boutwell's inserted, and the bill passed; yeas, 103; nays, 55. The Senate sub-

sequently concurred in the House amendment by a vote of 28 to 14, and the bill was sent to the President. On January 30th the Executive returned the same, with his objections. The only suggestion made to Congress in the message was, that the conditions precedent to admission should be ratified by the people instead of the Legislature.

On the 9th February Nebraska was admitted into the Union, as the thirty-seventh State, over the President's veto. A statement of the condition of the Territorial finances was made at the opening of the Legislature. The cash in the treasury was \$23,324.56; taxes for 1866, due and collectable, \$69,973.86; Congressional appropriations, \$45,000; delinquent taxes, \$26,983.24; total assets, \$165,281.66; total indebtedness, \$85,471.44; possible losses and deductions, \$18,000, leaving an undoubted surplus of \$61,810.22. A large part of the indebtedness was in bonds having several years to run, and the available surplus would therefore amount to at least \$90,000.

The wheat and corn crops were very fine, and large quantities of both were shipped to Eastern markets. The increase of population is very rapid, and it is estimated that at least twenty-five thousand settled in the State during the year. The capital, Omaha, as the eastern terminus of the Union Pacific Railway, is fast growing in importance. In 1853 it was the site of an Indian village; in 1857, it had a population of three thousand five hundred; it now has a population of ten thousand. It is situated about midway between New York and San Francisco, two thousand miles from each. Since October, 1865, the company have constructed and are running three hundred and thirty-five miles of road, westerly, and have aided the Chicago and Northwestern Company in building, since April last, one hundred and thirty miles. They have also a contract for a bridge over the Missouri River to connect Omaha with Council Bluffs, and expect by July, 1867, to have their road in complete running order to the foot of the Rocky Mountains, more than half the distance to San Francisco.

The Democratic Territorial Convention, which was held at Plattsmouth, Nebraska, September 12th, nominated J. Sterling Morton for delegate in Congress, and A. Paddock for member of the Fortieth Congress, under the State. It also adopted a resolution, requesting the President to appoint as Governor of Nebraska Major-General Corse. The Republican Convention, which met at Brownsville on the 6th, made the following nominations: for member of Congress, Major John Taffe; delegate to Congress, T. M. Marquette.

October 9th the election was held for a member and delegate to Congress and other officers, with the following result: John Taffe (Republican), 4,820; A. S. Paddock (Conservative), 4,072. For delegate to Congress, T. M. Marquette (Republican), 4,821; J. S. Morton (Democrat), 4,105. At the previous election in June,



David Butler, the Republican candidate for Governor, received 4,093 votes, and J. S. Morton, the Democratic candidate, 3,948.

NEW MEXICO.—Stock-raising and agriculture are the principal occupations of the people of this Territory, though mining is prosecuted to a considerable extent, and with encouraging success. The mineral resources of the Territory are neither known nor appreciated, and will not be until the Indians are placed upon reservations, so that the miners can operate in safety. Gold exists in twenty different localities, and invariably yields richly. Silver is the most prominent and most abundant mineral in the Territory, and the lodes are found in every mountain chain. Several copper mines have been opened, and promise well. Lead and platinum have also been discovered. As an inducement to introduce a manufacturing system in the Territory, it is stated that the flocks of sheep yield millions of pounds of wool annually, not one-fourth part of which is manufactured or used in the Territory, for the want of machinery, capital, and labor.

There are nineteen towns in the Territory occupied by Pueblo Indians, the total population being 7,066. These Indians are friendly and industrious. The savage Indians in the Territory number as follows: Apaches, 2,500; Navajoes, 12,000, and Utahs, 2,400. Since the Territory was acquired by the United States they have committed depredations as follows: horses, 2,407; mules, 1,155; cattle, 13,473; sheep and goats, 294,740; total value, \$1,377,329.60. In addition to these thieving operations, they have killed ninety persons, wounded thirty-one, and taken twenty captive.

The year has been one of general prosperity. The treasurer's report shows a balance in his hands, November 15th, of \$1,898.98, while there are funds belonging to the treasury, still in the hands of the sheriffs, amounting to \$5,069.25.

Education has been neglected in the Territory. Out of a population of 93,516 there are 57,233 persons who cannot read or write, and there is not a single free school in the whole Territory, except those taught by the Sisters of Charity, from the bounty of the Roman Catholic Church. The Territory has been under the guidance of the General Government for twenty years, and not a single dollar has been furnished by the Government or the people for educational purposes.

The Spanish is the invariable dialect used or spoken. The proceedings of the Senate and House are carried on in this tongue, but are also printed in English. There are, it is claimed, about 87,000 residents in the Territory who speak the Spanish language, and about 3,000 Americans.

The system of peonage, though ostensibly restricted by legislative enactment, still exists in all parts of the Territory, and there are some 2,000 peons kept in bondage. During the latter portion of the year, the hostile attitude of the Indians was very marked, and Acting-Gov-

ernor Army issued a proclamation, calling on citizens to organize military companies for protection against incursions of the Indians. He also says: "The present condition of the Territory of New Mexico, surrounded as it is by hostile tribes of Indians, whose constant incursions and depredations are the source of the greatest evil which afflicts our country, demands that our people should be prepared to protect their own lives and property, as the military force in this Territory appears inadequate, and the militia inefficient and not in a condition to perform this work promptly. Our Territory is in possession of a sufficient number of arms and a quantity of ammunition; and I do hereby recommend to all able-bodied male citizens of this Territory to organize themselves into volunteer companies for home protection."

The people were thoroughly aroused to a sense of their danger, and a petition containing the names of all the prominent citizens was forwarded to the authorities at Washington, praying for an increase of the military force in that Territory, as absolutely necessary to protect the lives and property of the inhabitants.

UTAH.—The anomalous condition of affairs in this Territory has continued through the year; the Mormon organization has been in fact paramount to the authority of the Government. It has been found impolitic or impossible to enforce the enactments of Congress. The central position of the Territory will tend to its rapid growth, and a change in its social system would make it an attractive region for immigration. The grandeur and magnificence of its mountain scenery is unsurpassed. Among its natural curiosities the absorbing object is Great Salt Lake. Its surface is fully equal to 8,000 square miles, and it has as few impurities as any saline water. In the summer season the water crystallizes, and vast quantities of salt may be obtained upon its shores. The warm and hot springs of Utah are so frequent that the curious become weary of noting them. In Sanpete, 170 miles south of Salt Lake City, there is a mountain of salt, of some extent and notoriety. Various deposits of coal, iron, sulphur, alum, aluminous clay, lead, copper, and silver, have been found. A tolerable crop of vegetables, grains, and fruits, may be raised in those portions where water can be obtained for irrigating purposes.

The summer proved unusually wet, but the crops were generally good, and much more moderate in price than they had been for three or four previous years.

Violence against citizens not in sympathy with Mormonism is quite common in Utah. Men who give utterance to their disapprobation of the practice of the "Saints," are warned to leave the Territory. Prominent men among the "Gentiles," as all anti-Mormons are called, live in constant danger. Assaults and murders are frequent, but in no case are the criminals sought out and punished. This state of things renders a residence at Salt Lake particularly un-



desirable. Twenty-three business firms of that city recently expressed their willingness to leave the Territory, provided the Mormons would pay them seventy-five per cent. of the cost value of their property, but their offer was not accepted. Time of passage between Omaha and Salt Lake City now is only eight days. Three of them are occupied in the trip from Omaha to Denver, and the remaining five from Denver to Salt Lake City. In these eight days' travel there are 300 miles of railroad and 900 of stage conveyance—total, 1,200 miles.

WASHINGTON.—The field of surveying operations in this the most distant political community of the Union, during the last year, embraces nearly 200,000 acres. This quantity, added to the work heretofore executed, reaches an area of upward of 3,530,000 acres surveyed in Washington since the initiation in that Territory of the public surveys. The Surveyor-General recommends that, during the year ending 30th June, 1868, the lines shall be extended east and west of the Cascades, and between those mountains and Puget Sound, the country being traversed by numerous streams, and the valleys well adapted to agriculture; and that the surveys shall be prosecuted in the region of the Columbia River, along the White Bluffs, the head of navigation, likewise in the vicinity of Fort Colville, and in the Willpah Valley, immediately east of Shoal-water Bay.

Notwithstanding its remoteness, this Territory is rapidly assuming importance. The wheat crop of the upper country is estimated as follows: Walla-Walla Valley, 200,000 bushels; Grand Ronde Valley, 100,000; Powder River, Payette, and Boise Valleys, 100,000. The crops of Umatilla, Colville, the Nez Perces country, Bitter Root and adjoining valleys, will probably reach 100,000—making a total of 500,000 bushels.

George E. Coles is Governor of the Territory. The Legislature is opposed to the removal of the military headquarters of the North to Portland, Oregon, and have remonstrated against it.

**TEST OATHS.** The participation of persons in secession led to the enactment of laws requiring all who were to hold office, or desired to exercise certain rights, to take an oath in reference to the part taken by them during the war. Congress, on the 2d of July, 1862, prescribed an oath to be taken by all persons before entering upon the execution of the duties or privileges of any government office. (*See ANNUAL CYCLOPEDIA*, 1862, pp. 376.)

By act of January 24, 1865, it was provided that thereafter no person should be admitted to practice in the Supreme Court, and after the 4th of March, 1865, in any District or Circuit Court of the United States, or Court of Claims, even if he were previously an attorney of such Court, unless he should take the oath set forth in the act of July 2, 1862.

The convention to form a constitution for the State of Missouri, inserted in that instrument a provision (*See ANNUAL CYCLOPEDIA*, 1865, pp.

588) prescribing an oath which requires the affiant to deny not only that he has ever been in armed hostility to the United States or the lawful authorities thereof, but, among other things, that he has ever, "by act or word," manifested his adherence to the cause of the enemies of the United States, foreign or domestic, or his desire for their triumph over the arms of the United States, or his sympathy with those engaged in rebellion, or that he has ever harbored or aided any person engaged in guerilla warfare against the loyal inhabitants of the United States, or has ever entered or left the State for the purpose of avoiding enrolment or draft in the military service of the United States, or to escape the performance of duty in the militia of the United States, or has ever indicated in any terms his disaffection to the Government of the United States in its contest with rebellion.

Every person who is unable to take this oath is declared incapable of holding in the State "any office of honor, trust, or profit, under its authority, or of being an officer, councillor, director, or trustee, or other manager, of any incorporation, public or private, now existing or hereafter established by its authority, or of acting as professor or teacher in any educational institution, or in any common or other school, or of holding any real estate or other property in trust for the use of any church, religious society or congregation." And any person holding any of the offices, trusts, or positions mentioned at the time the constitution takes effect, is required within thirty days thereafter to take the oath, and if he fail to comply with this requirement, it is declared that his office, trust, or position, shall *ipso facto* become vacant. And no person after the expiration of the sixty days is permitted, without taking the oath, "to practise as an attorney or counsellor-at-law, nor, after that period, can any person be competent as a bishop, priest, deacon, minister, elder, or other clergyman of any religious persuasion, sect, or religion, to teach or preach or solemnize marriage." Fine and imprisonment are prescribed as a punishment for holding or exercising any of the offices, positions, trusts, professions, or functions specified, without having taken the oath, and false swearing or affirmation to the oath is declared to be perjury, and punishable by imprisonment in the penitentiary.

The almost unexceptional participation by the citizens of the Southern States in the war, rendered it nearly impossible to select proper persons to carry on the affairs of the Government, who could conscientiously take the oath prescribed by Congress. The matter was presented to Congress by the President, who in April transmitted a communication from the Secretary of the Treasury and the Postmaster-General, addressed to him by those officers, suggesting a modification of the oath of office prescribed by the act of Congress, approved July 2, 1862.

The letter of the Secretary of the Treasury



contains the names of collectors of internal revenue, assessors, assistant assessors, collectors and surveyors of customs, etc., appointed since the close of the war in the Southern States, who have not been able to take literally the oath of office prescribed by the act approved July 2, 1862.

Besides these officers, a considerable number, perhaps the larger proportion of those holding subordinate positions in the revenue department, have been also unable to comply with the requirements of the statute. When the appointments were made it was feared that it would be difficult to find competent officers in many of the Southern revenue districts who could take the oath referred to; but so important did it seem to the President and the Cabinet, for the purpose of equalizing the public burdens, that the revenue system should be established throughout the Southern States with as little delay as practicable, and that the unpleasant duty of collecting taxes from an exhausted and recently rebellious people should be performed by their own citizens, that the Secretary of the Treasury did not hesitate to recommend for appointment, and to appoint men of whose present loyalty there was no question, but who might have been, either willingly or unwillingly, during the progress of the rebellion, so connected with the insurgent States and Confederate Government as to be unable to take the oath of office.

This was not done from any disposition to disregard the law, but with an honest and sincere purpose of collecting the revenues with as little trouble to the taxpayers as possible. It seemed to be necessary to carry into effect the revenue laws of the General Government, as the country was passing from a state of war to a state of peace, and the emergency seemed to be too pressing to admit of delay. Until the meeting of Congress it was thought that the test oath might, in view of the great objects to be attained, in some cases be dispensed with, or rather that persons might be permitted to hold revenue offices who could take it only in a qualified form.

Some had held office under the insurgent authorities as the only means of supporting their families; others, to escape conscription, or to be in better condition to resist, at the proper time, Confederate rule. Not one is known to have been a disunionist, or unfriendly to the Government at the commencement of the war. A very slight change in the oath—a change that would not cover a particle of present disloyalty—would enable the most of them to hold the offices they are now so acceptably filling. Great loss to the Government and great inconvenience to the Department must result from the discontinuance of their services.

The Postmaster-General, in his communication, says, as a means of restoring the business interest in the Southern States, and of aiding in the reestablishment of their constitutional relations with the General Government, it was

deemed important by the President and Cabinet that the mails should be introduced and post-offices be reopened in these States as rapidly as possible, to which end the energies of the Department were promptly and have been continuously directed.

Various causes have doubtless contributed to the failure in accomplishing all that was hoped for, but that resulting from the oath prescribed by the acts of July 2, 1862, and March 3, 1863, has not been the least. As a remedy for the future, the Postmaster-General suggests a modification of the oath, by inserting the word "voluntarily," so that the clause would read—"That I have neither voluntarily sought nor accepted, nor attempted to exercise the functions of any office whatever under any authority or pretended authority in hostility to the United States."

The constitutionality of the act of 1865, requiring all persons practising in the courts of the United States to take the oath presented by the act of 1862, was raised and decided in several district courts, among them that of Alabama, the decision being that the said act was in violation of the Constitution. The question both as to the above-mentioned provision, and also as to the requirement of the Missouri constitution, came up in the Supreme Court of the United States. The case involving the provision in the Missouri constitution was that of John A. Cummings, in the State of Missouri, and is thus stated by Mr. Justice Field in rendering the decision:

This case comes before us on a writ of error to the Supreme Court of Missouri, and involves a consideration of the test oath imposed by the constitution of that State. The plaintiff in error is a priest of the Roman Catholic Church, and was indicted and convicted, in one of the circuit courts of that State, of the crime of teaching and preaching, as a priest and minister of that religious denomination, without having first taken the oath, and was sentenced to pay a fine of \$500, and to be committed to jail until the same was paid. On appeal to the Supreme Court of the State, the judgment was affirmed.

The same questions were involved and argued in the case of Alexander J. P. Garesche, in the State of Missouri.

The law of 1865, requiring the oath to be taken by attorneys, came before the court on a petition of A. H. Garland, which is also stated by Mr. Justice Field, as follows:

At the December term of 1860, the petitioner was admitted as an attorney and counsellor of this court, and took and subscribed the oath then required. By the second rule, as it then existed, it was only requisite to the admission of attorneys and counsellors of this court that they should have been such officers for the three previous years, in the highest courts of the States to which they respectively belonged, and that their private and professional character should appear to be fair. In March, 1865, this rule was changed by the addition of a clause requiring the administration of the oath in conformity with the act of Congress.

In May, 1861, the State of Arkansas, of which the petitioner was a citizen, passed an ordinance of secession which purported to withdraw the State from the Union, and afterward, in the same year, by another ordinance, attached herself to the so-called



Confederate States, and, by act of the Congress of that Confederacy, she was received as one of its members. The petitioner followed the State and was one of her representatives, first in the lower House, and afterward in the Senate of the Congress of that Confederacy, and was a member of the Senate at the time of the surrender of the Confederate forces to the armies of the United States.

In July, 1865, he received from the President of the United States a full pardon for all offences committed by him by participation, direct or implied, in the rebellion. He now produces this pardon, and asks permission to continue to practice as an attorney and counsellor of the court, without taking the oath required by the act of January 24, 1865, and the rule of this court, which he is unable to take by reason of the offices he held under the Confederate Government.

He rests his application principally upon two grounds: first, that the act of January 24, 1865, so far as it affects his status in the court, is unconstitutional and void; second, that if the act be constitutional, he is released from compliance with its provisions by the pardon of the President. The oath prescribed by the act is as follows: 1. That the deponent has never voluntarily borne arms against the United States since he has been a citizen thereof. 2. That he has not voluntarily given aid, countenance, counsel, or encouragement to persons engaged in armed hostility thereto. 3. That he has never sought, accepted, or attempted to exercise the functions of any office whatsoever under any authority or pretended authority in hostility to the United States. 4. That he has not yielded a voluntary support to any pretended government, authority, power, or constitution within the United States hostile or inimical thereto. 5. That he will support and defend the Constitution of the United States against all enemies, foreign and domestic, and will bear true faith and allegiance to the same.

In the case of Cummings, the court decided that the Missouri test oath was in contravention of the provision of the Constitution providing that "no State shall pass any bill of attainder" or "*ex-post-facto* law"—and that "the disabilities created by the constitution of Missouri must be regarded as penalties. They constitute punishment."

In deciding the case of Garland, Mr. Justice Field says:

An exclusion from any of the professions or any of the ordinary avocations of life for past conduct, can be regarded in no other light than as a punishment for such conduct. The exaction of the oath is the mode provided for ascertaining the parties upon whom the act is intended to operate, and, instead of lessening, increases its objectionable character. All enactments of this kind partake of the nature of bills of pains and penalties, and are subject to the constitutional inhibition against the passage of bills of attainder, under which general designation they are included. In the exclusion which the statute adjudges, it imposes a punishment for some of the acts specified, which were not punishable, or may not have been punishable at the time they were committed; and for all the acts it adds a new punishment to that then prescribed, and it is thus brought within the fourth inhibition of the Constitution against the passage of an *ex-post-facto* law.

The profession of an attorney and counsellor is not like an office created by an act of Congress, which depends for its continuance, its powers, and its emoluments on the will of its creator, and the possession of which may be burdened with any conditions not prohibited by the constitution. Attorneys and counsellors are not officers of the United States. They are not elected or appointed in the manner prescribed

by the Constitution for the election or appointment of such officers. They are officers of the court, admitted as such by its order upon evidence of their possessing sufficient legal learning and fair character. The order of admission is the judgment of the court that the parties possess the requisite qualifications as attorneys and counsellors, and are entitled to appear as such and conduct causes therein.

They hold their office during good behavior, and can only be deprived of it for misconduct, ascertained and declared by the judgment of the court, after opportunity to be heard has been afforded. Their admission and their exclusion are not the exercise of a mere ministerial power. The court is not in this respect the register of the edicts of any other body. It is the exercise of judicial power, and has been so held in numerous cases. The attorney and counsellor, being by the solemn judicial act of the court clothed with his office, does not hold it as a matter of grace and favor; the right which it confers upon him to appear for suitors, and to argue causes, is something more than a mere indulgence, revokable at the pleasure of the court or at the command of the Legislature; it is a right of which he can only be deprived by the judgment of the court for moral or professional delinquency. The Legislature may undoubtedly prescribe qualifications for the office, with which he must conform, as it may, where it has exclusive jurisdiction, prescribe qualifications for the pursuit of any of the ordinary avocations of life; but to constitute a qualification, the condition or thing prescribed must be attainable, in theory at least, by every one. That which from the nature of things, or the past condition or conduct of the party, cannot be attained by every citizen, does not fall within the definition of the term. To all those by whom it is unattainable, it is a disqualification which operates as a perpetual bar to the office. The question in this case is not as to the power of Congress to prescribe qualifications, but whether that power has been exercised as a means for the infliction of punishment against the prohibition of the Constitution. That this result cannot be effected indirectly by a State under the form of creating qualifications, we have held in the case of Cummings *vs.* The State of Missouri, and the reasoning upon which that conclusion was reached, applies equally to similar action on the part of Congress.

These views are further strengthened by a consideration of the effect of the pardon produced by the petitioner and the nature of the pardoning power of the President. The Constitution provides that the President "shall have power to grant reprieves and pardons for offences against the United States, except in cases of impeachment." The power thus conferred is unlimited, with the exception stated; it extends to every offence known to the law, and may be exercised at any time after its commission, either before legal proceedings are taken, or during their pendency, or after conviction and judgment. This power of the President is not subject to legislative control. Congress can neither limit the effect of his pardon nor exclude from its exercise any class of offenders. The benign prerogative of mercy reposed in him cannot be fettered by any legislative restriction. Such being the case, the inquiry arises as to the effect and operation of a pardon. On this point all the authorities concur: a pardon reaches both the punishment prescribed for the offence, and the guilt of the offender, and when the pardon is full it releases the punishment and blots out of existence his guilt, so that in the eye of the law the offender is as innocent as if he had never committed the offence. If granted before conviction, it prevents any of the penalties and disabilities consequent upon conviction from attaching. If granted after conviction, it removes the penalties and disabilities, and restores him to all his civil rights. It makes him as it were a new man, and gives him a new credit and capacity. There is only this limitation to its operation: it does not



restore offices forfeited, or property or interests vested in others in consequence of the conviction and judgment. The pardon produced by the petitioner is a full pardon for all offences by him committed arising from participation direct or implied in the rebellion, and is subject to certain conditions which have been complied with. The effect of this pardon is to relieve the petitioner from all penalties and disabilities attached to the offence committed by his participation in the rebellion. So far as that offence is concerned, he is thus placed beyond the reach of punishment of any kind; but to exclude him by reason of that offence from continuing in the enjoyment of previously acquired right, is to enforce a punishment for that offence notwithstanding the pardon. If such exclusion can be effected by the execution of an expurgatory oath covering the offence, the pardon may be avoided, and that accomplished indirectly which cannot be reached by direct legislation. It is not within the constitutional power of Congress thus to inflict punishment beyond the reach of Executive clemency.

From the petitioner, therefore, the oath required by the act of January 24, 1865, cannot be exacted, even were that act not subject to any other objection than the one just stated. It follows, from the views expressed, that the prayer of the petitioner must be granted.

A dissenting opinion in both cases was read by Mr. Justice Miller, and concurred in by Chase, C. J., and Davis and Swayne JJ. The minority of the court hold, in reference to the act of Congress, that it is within the legislative power of that body, in its control over the courts and their officers and that it is not void as being either a bill of attainder, or an *ex-post-facto* law; that the oath required as a condition to practising law is not a punishment, and that therefore the pardon of the President does not relieve the party. The reasoning applies equally to the Missouri case.

TEXAS. The members of the State Convention, elected under the proclamation of Provisional Governor Hamilton issued November 15, 1865, assembled at Austin, the capital, on Feb. 10, 1866. This body comprised some of the best talent and oldest citizens of the State. Some delay took place in organizing the convention, in consequence of an effort to require the members to take the amnesty oath for a second time. It was unsuccessful. J. W. Throckmorton was elected president of the convention. The Provisional Governor stated that the apathy among the people with regard to the convention had been so great, there was reason to believe that less than half the registered voters participated in the election. He urged upon the convention a denial of the right of secession, the recognition of the abolition of slavery, the repudiation of the war debt, the grant of civil rights to the freedmen, with the view of conferring upon them at a future day political privileges. The session of the convention continued until April 25th, when it closed by adjournment *sine die*. The following ordinance was adopted, declaring the original ordinance of secession to be null and void:

*Be it ordained by the People of Texas in Convention assembled, That we acknowledge the supremacy of the Constitution of the United States, and the laws passed in pursuance thereof; and that an ordinance*

adopted by a former convention of the people of Texas, on the 1st day of February, A. D., 1861, entitled "An ordinance to dissolve the Union between the State of Texas and the other States united, under the compact styled 'Constitution of the United States of America,'" be and the same is hereby declared null and void; and the right heretofore claimed by the State of Texas to secede from the Union, is hereby distinctly renounced.

With regard to the debt contracted during the war, the following ordinance was adopted:

*Be it ordained by the People of the State of Texas in Convention assembled, That all debts created by the State of Texas in aid of the late war, directly or indirectly, are hereby declared null and void: and the Legislature shall have no authority, and they are hereby forbidden, to ratify the same, or to assume or provide for the payment of the same, or any part thereof.*

SEC. 2. *Be it further ordained, That the Legislature of this State shall have no authority, and are hereby forbidden to assume, or make any provision for, the payment of any portion of the debts contracted or incurred, directly or indirectly, by the Confederate States, or by its agents, or by its authority.*

SEC. 3. *Be it further ordained, That the Legislature of this State shall have no authority, and are hereby forbidden to assume or make any provision for the payment of any portion of the debts contracted or incurred, or warrants issued by this State, from the 28th day of January, 1861, until the 5th day of August, 1865, except warrants issued in payment of services rendered, or liabilities incurred, before the said 28th day of January, 1861.*

The eighth article of the State constitution was struck out, and in its place was inserted the following article conferring civil rights on freedmen:

SEC. 1. African slavery, as it heretofore existed, having been terminated within this State, by the Government of the United States, by force of arms, and its reestablishment being prohibited by the amendment to the Constitution of the United States, it is declared that neither slavery nor involuntary servitude, except as a punishment for crime, whereof the party shall have been duly convicted, shall exist in this State; and Africans and their descendants shall be protected in their rights of person and property by appropriate legislation; they shall have the right to contract and be contracted with; to sue and be sued; to acquire, hold, and transmit property; and all criminal prosecutions against them shall be conducted in the same manner as prosecutions, for like offences, against the white race, and they shall be subject to like penalties.

SEC. 2. Africans and their descendants shall not be prohibited, on account of their color or race, from testifying orally, as witnesses, in any case, civil or criminal, involving the right of injury to or crime against any of them in person or property, under the same rules of evidence that may be applicable to the white race; the credibility of their testimony to be determined by the court or jury hearing the same; and the legislature shall have power to authorize them to testify as witnesses in all other cases, under such regulations as may be prescribed, as to facts hereafter occurring.

An ordinance was also passed granting to the Legislature under the constitution power to give the consent of the State to the erection of a new State or States within the present limits; also another making it the duty of the Legislature to issue bonds to restore the funds to the University. A motion to make the white inhabitants of the State a basis of representation



was laid on the table. A motion to strike out the word "white" was lost by a vote of 26 to 47. A motion to leave it optional with the Legislature to add other inhabitants of the State to the basis of representation was lost by a vote of 26 to 38. Seven members of the convention were in favor of intelligent negro suffrage. One of them read a document occupying two hours in favor of the measure, and a debate was postponed for two days, that there might be an opportunity to print the paper. A residence of five years in the State was made a qualification for membership in the Legislature. All ordinances, resolutions, and proceedings of the convention of 1861, were declared null and void. All persons were exempted from pecuniary liability for acts done in obedience to the statutes of the Confederate Congress—or in pursuance of military or civil authority given by the Confederate State Government. These were the most important acts of a general character passed by the convention, which embraced in its labors a full revision of the State constitution. Before adjournment, June 4th was designated for the general election by the people of State officers, and the approval or rejection of the amendments to the constitution. The vote on the constitutional amendments was 48,519, or majority in favor of ratifying the same of 7,719.

Two tickets were presented for State officers, designated a Republican, or Radical, and a Conservative Union. They embraced candidates for all the State offices, and members of the Legislature and of Congress. The total vote cast was 60,682, of which the Conservative Union candidate for Governor, Throckmorton, received 48,631, and a majority of 36,580 over E. M. Pease, who received 12,051. The Legislature consisted of 33 Senators, and 90 members of the House. In the former there were two Republicans, and in the latter five. There were several candidates for Congress in each of the four districts, with no political distinction between them.

The session of the Legislature commenced on August 9th. On August 13th, instructions were received from the Federal authorities at Washington, directing the Provisional Governor to transfer the civil authority to the State officers elected. The Governor elect immediately entered upon his duties, and on the 18th sent a message on State affairs to the Legislature. There was in the State treasury at this time \$96,000. During the provisional government the receipts had been \$344,446, and the expenditures \$233,293, with some amounts to be paid, leaving a balance as above stated. Of the amount received, \$227,197 was derived from taxation, and the balance chiefly from the sale of United States five per cent. bonds and coupons. By the action of the State Convention all the outstanding ten per cent. warrants, and State bonds issued for services rendered, or expenses incurred, since January 28, 1861, were repudiated. Under a previous law, parties who held

ten per cent. warrants were permitted to return them into the treasury to be cancelled, and to receive eight per cent. State bonds in their stead. A subsequent law authorized the funding of all kinds of outstanding warrants, including such as were issued prior to January 28th, as well as after that time. Under this law 294 bonds of \$1,000 were issued. Of these about \$92,000 consisted of ten per cent. warrants recognized by the convention as a subsisting State debt. It therefore became necessary to call in all the bonds, the ten per cent. and non-interest warrants, in order to ascertain the portion of them recognized as good by the convention. For this reason no statement of the debt has been made. An amendment of the tax laws was required. In consequence of their defect, it was estimated that 444,838,216 acres of land had escaped taxation since 1836, and that the amount of tax lost was \$1,201,036.

An ample amount of the public domain of the State has been set aside, together with one-half of the proceeds arising from the sale of all land, as a basis for a perpetual school fund. A common school system has not yet been put in operation in the State, because it must be sustained by the interest accruing from the principal of the fund. Considerable sums belonging to the fund have been used in other departments of the State, thus requiring the indebtedness to be arranged before a beginning can be made in a successful system of schools. The university fund is similarly embarrassed.

The system heretofore pursued relative to internal improvements has been to loan the school fund to railroad companies. This has proved to be the speediest mode of securing success to these enterprises, and, if the war had not intervened, would have furnished to the school fund a safe investment, and to the people a certainty of success in the completion of all the railroads necessary to the wants of the country. This system, however, was weakened by an indiscriminate granting of charters. The great size of the State makes a system of internal improvements indispensable, especially as it is unsafe for the school fund that it should be invested in such securities.

During the war, the asylums of the State, although necessarily neglected, were kept in operation. By the census of 1860 there were between 200 and 300 insane persons in the State. An asylum is in operation in Austin, with accommodation for 50 or 60 persons. The number of patients, in August, was 54; admitted during the year, 40; whole number treated, 88; discharged, 22. It is stated that the number of the insane has been greatly increased by the war. The institution is in part supported by State aid. The Deaf and Dumb Asylum contained about 22 pupils. The institution for the blind was broken up about the time of the surrender by want of funds to carry it on. The penitentiary is represented as in a very satisfactory condition. At the close of the war the number of convicts was 118. The in-



crease in the ensuing twelve months was 264. Of the inmates, 95 are white, 41 Mexicans, 4 Indians, 117 negro men, 4 negro women.

A geological survey of the State was in progress during three years preceding July, 1861. With the exception of iron and coal, little has been done in the discovery of valuable minerals. A large deposit of iron ore is on Jackson Creek in Llano County. Large masses of soap-stone are found in the same county; also large veins of ore, containing a small per cent. of copper. Iron ore is also found in Bowie, Davis, Marion Counties; coal is found in Bastrop, and its adjoining counties, and in many of the counties east of the Trinity River. Some of the beds are five feet thick in nearly a horizontal position. Gold, silver, copper, and lead, have also been found in the State.

The session of the Legislature, which commenced in August, continued about three months. Some of its acts were of an interesting and an important nature. Provision was made for the protection of the frontier, by authorizing three battalions of rangers, consisting of 15 companies each, having 87 privates and 11 officers. Another act requires the master of a vessel to report the names and circumstances of all alien passengers before landing them, and makes him and his owners liable for all charges caused by the indigent passengers. A general apprentice law provides for the binding of minors, with or without the consent of parents, especially all vagrant or indigent minors; another act gives a lien on the crop and stock for advances to assist in making the crop. All contracts for labor, exceeding one month in duration, must be in writing, and witnessed by a justice of the peace, notary, etc. A stay law extends the time of issuing execution to one year on the first fourth of the judgment, two years on the second fourth, etc. The exemption law protects from execution 200 acres and the homestead, or town property, not exceeding \$2,000 in value, etc. Police courts in the several counties are authorized to collect an amount, equal to one-half the State tax, which is to be applied to the education of indigent white children. A joint resolution was passed declaring that the Federal troops in Texas were not only unnecessary, but a source of much evil; and as the "people of Texas had returned in good faith to their allegiance to the United States, therefore the Governor" was requested to use all proper means to obtain their removal. Resolutions were also passed in each House, which approved of the declaration of principles, etc. of the Philadelphia National Union Convention. The whole number of general laws passed was 191; of special laws, 224; of resolutions, 28. Of the whole number, 161 were acts of incorporation, of which 30 were of manufacturing companies.

The amendment to the Federal Constitution (Art. 13) was referred to a committee in the Legislature, who reported as follows:

The people of Texas, in convention assembled,

have already, by their ordinance, acknowledged the supremacy of the Constitution of the United States, in which Constitution the above-named article thirteen is embraced as part of the same; the courts of law so hold and administer said article thirteen. The Legislature has no authority in this matter; any action on the same would be surplusage, if not intrusive. The committee, therefore, ask to be excused from the further consideration of the same; and they therewith respectfully return the communication of the Honorable the Secretary of the United States.

The action of the Legislature on various subjects was reported to the President by the Governor, and the former made the following reply:

WASHINGTON, D. C., October 30, 1866.

GOVERNOR THROCKMORTON: Your telegram of the 29th inst., just received. I have nothing further to suggest, than urging upon the Legislature to make all laws involving civil rights as complete as possible, so as to extend equal and exact justice to all persons, without regard to color, if it has not been done. We should not despair of the Republic. My faith is strong. My confidence is unlimited in the wisdom, prudence, virtue, intelligence, and magnanimity of the great mass of the people; and that their ultimate decision will be, uninfluenced by passion and prejudice, engendered by the recent civil war, for the complete restoration of the Union by the admission of loyal Representatives and Senators from all the States to the respective Houses of the Congress of the United States.

(Signed)

ANDREW JOHNSON.

On September 8th the town of Brenham was nearly laid in ashes, in consequence of a difficulty between some soldiers on one side, and colored persons on the other.

THALLIUM. M. Herberling has discovered that with hyposulphite of soda, the salts of thallium form a white precipitate soluble in boiling water, as well as in an excess of hot hyposulphite; in the latter case, a double hyposulphite is produced. As is well known, the chlorides form a white precipitate with these salts, which turns violet when exposed to light, like chloride of silver. With alkaline iodides they give an orange precipitate, which turns yellow. The precipitate forms less readily in acid liquids, and is less soluble in alcohol than in water, and also less soluble in iodide of potassium. Bichloride of platinum gives a yellow precipitate, which passes easily through the filter. At 16 C. 1 part dissolves in about 1,600 parts of water.

Thallium perchlorate is readily prepared by dissolving metallic thallium in aqueous perchloric acid, or by the double decomposition of thallium-sulphate and barium-perchlorate. From solution the anhydrous salt is easily deposited in colorless rhombic crystals, which are transparent, bright, well defined, and non-deliquescent. Thallium perchlorate does not lose weight when heated to 200 C., and the temperature may be raised to within a few degrees of the boiling point of mercury without decomposing the salt. On the further application of heat, a black mass is formed, and the salt finally volatilizes as thallium-chloride.

There has been a good deal of controversy as



to whether the metal thallium belongs to the same group as potassium and sodium, or to the group comprising silver, lead, and mercury. The fact that its perchlorate is isomorphous with that of potassium, is regarded as a proof that it is an alkaline metal.

THOUVENEL, EDOUARD ANTOINE, a French statesman and diplomatist, born at Verdun, November 11, 1818; died at the Palace of the Luxembourg, Paris, October 17, 1866. He was educated for the law, but on completing his studies travelled for some years in the East, publishing an account of his journeyings upon his return. In 1839 he obtained an appointment in the foreign office. In 1844 he was sent to Brussels as *attaché* of the embassy, and the following year to Athens, as secretary of the legation. He acted there for some time as provisional *chargé d'affaires*, and was confirmed in the appointment by Gen. Cavaignac, which, however, Thouvenel exchanged in January, 1849, for that of minister plenipotentiary to Athens. He was in Greece at the time of the Pacifico trouble, and energetically seconded the special mission of Baron Grô. A short time after, he was sent as minister plenipotentiary to Munich, where the services which he had rendered to King Otho, secured for him, on the part of Otho's brother, the King of Bavaria, a very favorable reception. After the *coup d'état* of the 2d December, he was intrusted with the direction of the ministry of foreign affairs, and discharged the functions of that office until the Vienna conferences. In 1855 he was named ambassador to Constantinople, where he had to contend against the powerful influence exercised over the Porte by Lord Stratford de Redcliffe, and against the demands of Austrian diplomacy in the question of the Danubian principalities. In the midst of the difficulties created by the Italian question, M. Thouvenel was called to replace M. Walewski, as minister of foreign affairs, in January, 1860. The circulars and memoranda which he addressed to the diplomatic corps, on the grave circumstances of the hour, were remarkable documents, proving him to be a statesman of no common order. He acted as plenipotentiary of France in the settlement of the treaty of commerce with Belgium, also in the convention of navigation, and in the literary convention. In August, 1862, he was succeeded as foreign minister by M. Drouyn de Lhuys, and was appointed president of the commission to examine the then pending question between the Egyptian Government and the Suez Canal Company. In May, 1839, he was raised to the dignity of senator. He was also a member of the Legion of Honor. He published a volume entitled "Hungary and Wallachia," consisting of articles originally contributed to the *Revue des Deux Mondes*.

TOWNSEND, Captain ROBERT, United States Navy, born in Albany, N. Y., in 1819; died on the steamer *Wachusett*, in one of the ports near Shanghai, August, 15, 1866. He was a descendant of an old and well-known family,

who had figured in the Revolution; graduated at Union College, Schenectady, in 1835, and immediately entered the navy as a midshipman. His first cruise was in the Mediterranean. He afterward took part in the siege and capture of Vera Cruz, and was otherwise actively engaged during the Mexican war.

In 1851, Commander Townsend, then a lieutenant, having married, resigned his commission. At the outbreak of the war, he offered his services as a volunteer, and was accepted as an acting lieutenant, serving as such under Farragut at the passage of the forts and the capture of New Orleans. He commanded the *Miami*, and did efficient service in the sounds of North Carolina. Subsequently he was restored to the regular service, with the rank of commander, and commanded the well-known iron-clad *Essex* at the siege of Port Hudson. Still later, he was division commander under Admiral Porter and upon the Red River—campaigns of the most harassing description. Just before the close of the war he was ordered to the East India Squadron.

His career in China, though brief, was not an idle one. His conduct of matters at Newchwang was such as to afford a guaranty for the peace of the port; yet it was so considerate and careful that no injury, but the contrary, was offered to the prestige of the native authorities. At Canton he rendered some valuable service, and at Chefoo he put the difficulties of the missionaries in the way of settlement. Before his return from the latter place he received orders to proceed to Hankow, stopping at the ports, and it was at the first of these, *en route*, that he met the hand of the destroyer. His hard work and exposure to malaria upon the Southern Mississippi had implanted in his system the seeds of disease, and they were germinated readily by the fierce sun and the fresh waters of the Yangtze. At the close of the late war he was promoted to the full rank of captain.

TURKEY. An empire in Eastern Europe, Western Asia, and Northern Africa. Present ruler, Sultan Abdal-Aziz, born February 9, 1830; succeeded his brother June 25, 1861. Heir-presumptive, Amurath Murad Effendi, born September 21, 1840. The area and population of the empire are estimated as follows:

COUNTRIES.	Square miles.	Population.
Europe.....	207,438	15,725,867
Asia.....	660,870	16,050,000
Africa.....	943,740	8,815,000
Total.....	1,812,048	40,590,867

In 1860, the ecclesiastical statistics of the empire were supposed to be about as follows:

RELIGIONS.	Europe.	Asia.	Total (inc. Africa).
Mussulmen.....	4,550,000	12,650,000	21,000,000
Greek and Armenian churches.....	10,000,000	3,000,000	13,000,000
Roman Catholics....	640,000	260,000	900,000
Jews.....	70,000	80,000	150,000



The various races of which the population was composed in 1844, are thus classified in the census of that year:

RACES.	In Europe.	In Asia.	In Africa.	Total.
Ottomans .....	2,100,000	10,700,000	.....	12,800,000
Greeks.....	1,000,000	1,000,000	.....	2,000,000
Armenians.....	400,000	2,000,000	.....	2,400,000
Jews.....	70,000	80,000	.....	150,000
Slavi.....	6,200,000	.....	.....	6,200,000
Roumanians.....	4,000,000	.....	.....	4,000,000
Albanians.....	1,500,000	.....	.....	1,500,000
Tartars.....	16,000	20,000	.....	36,000
Arabs.....	.....	885,000	3,800,000	4,685,000
Syrians & Chal- deans .....	.....	200,000	.....	200,000
Druses.....	.....	80,000	.....	80,000
Kurds.....	.....	100,000	.....	1,000,000
Turkomans.....	.....	85,000	.....	85,000
Gypsies.....	214,000	.....	.....	214,000
Total.....	15,500,000	16,050,000	3,800,000	35,350,000

The budget for the year 1864-'65 estimates the revenue at 3,242,190 purses (1 purse equal to 500 piastres, or £5 sterling, or \$24.20); the expenditures at 3,205,672 purses; probable deficit, 36,513 purses. The external debt amounted, in 1864, to £29,500,000 pounds sterling; the interior debt to 4,438,000 purses. The Turkish army, during the Crimean War, was composed as follows: Nizam (standing army) 105,325; Redif (landwehr), 103,827; militia, 7,741; total, 216,893. The Turkish navy, in July, 1866, consisted of thirty-three vessels of war, with 1,203 guns; of twelve transports, from seventy to eighty brigs, schooners, etc. The imports of Turkey and the tributary countries for the years 1862 and 1863, were valued at 1,300,000,000 francs, and the exports at 1,200,000,000 francs.

The aspirations of the Christian tribes of European Turkey for greater political independence led, in the year 1866, to some important results. The people of Roumania (formerly the two principalities of Wallachia and Moldavia, together with an aggregate population of 3,864,878) fully achieved that degree of independence for which they had been struggling for so many years. As Prince Couza failed to carry out the national programme, and gave, besides, general dissatisfaction by his administration, a military revolution broke out in Bucharest on the 23d of February, which proved a complete success. Prince Couza was surprised and arrested in his palace, and compelled to abdicate. The legislative assembly, in com-

pliance with the general wish of the people for the election of a sovereign from one of the reigning families in Europe, chose the Count of Flanders, brother of the King of Belgium, as Hospodar, who, however, declined the nomination. The provisional government, on the 13th of April, proposed Prince Charles of Hohenzollern-Sigmaringen, who was accordingly elected by a *plébiscite*. A conference of representatives of the Great European Powers declared, on the 3d of May, the election of Prince Charles, contrary to the existing treaties; but the newly-elected legislative assembly confirmed the election on the 10th of May, and Prince Charles (May 20th) unexpectedly arrived in the country and assumed the reins of government. The Porte again protested against the accession to the throne of Prince Charles, and even threatened to expel him by force of arms. This plan, however, was abandoned upon the advice of the Great Powers, and finally the Porte consented to recognize the permanent union of the principalities under the rule of Prince Charles and his heirs.

The movements among the Greek population of the empire were not equally successful. An insurrection broke out upon the island of Candia, which, notwithstanding the great disparity of numbers, defied for several months the efforts of the Turkish and Egyptian troops to subdue it, and was still holding out in April, 1867. But the Candians did not receive the expected support from the Greeks in the kingdom of Greece and other Turkish provinces, and from the Great Powers of Europe, and therefore did not succeed in establishing their independence. Some insurrectionary movements took place in Epirus, Thessaly, and upon the islands of the Mediterranean, but they never assumed important dimensions. (*See CRETE and GREECE.*)

In the Lebanon another insurrection of the Maronites took place in December, 1865, under the leadership of Joseph Karam, which feebly maintained itself until the 28th of March, 1866, when it ended with the flight of Karam.

The viceroy of Egypt, like the prince of Roumania, demanded a greater independence; and he prevailed upon the Porte to change, in favor of his eldest son, the law of succession. Egypt openly aims at establishing its entire independence, and is making rapid progress in that direction. (*See EGYPT.*)

## U

**UNITARIANS.** The second annual meeting of the National Conference of the Unitarian churches in the United States was held at Syracuse, N. Y., on October 9th, 10th and 11th. The meeting was organized by the election of the following officers: President, D. T. Eliot, of Massachusetts; Vice-Presidents, James Speed, of Kentucky; Charles S. May, of Michigan;

George Partridge, Esq., of Missouri; John Wells, of Massachusetts; George Manning, Gen. Force, of Ohio; Gen. Ambrose E. Burnside, of Rhode Island; Honorary Secretary, Rev. Augustus Woodbury, of Providence, R. I.; Recording Secretary, Rev. Robert Laird Collyer, of Chicago, Ill.; Corresponding Secretary, Rev. Geo. H. Hepworth, of Boston.



The secretary reported that one hundred and seventy-six churches and twelve missionary and other associations were represented in the session of the conference, and that about four hundred and thirty delegates were present. An important debate arose on a substitute to the preamble and first article of the constitution of the National Conference which was offered by the Rev. F. E. Abbott, of Dover, N. H., and which was as follows:

*Whereas*, The object of Christianity is the universal diffusion of love, righteousness, and truth; and the attainment of this object depends, under God, upon individual and collective Christian activity; and collective Christian activity, to be efficient, must be thoroughly organized; and,

*Whereas*, Perfect freedom of thought, which is at once the right and the duty of every human being, always leads to diversity of opinion, and is therefore hindered by common creeds or statements of faith; and,

*Whereas*, The only reconciliation of the duties of collective Christian activity and individual freedom of thought lies in an efficient organization for practical Christian work, based rather on unity of spirit than on uniformity of belief:

*Article 1.* Therefore, the churches here assembled, disregarding all sectarian or theological differences, and offering a cordial fellowship to all who will join with them in Christian work, unite themselves in a common body, to be known as the National Conference of Unitarian and Independent Churches.

Rev. Mr. Abbott stated that the principal objection of those whom he represented was to the words, "the Lord Jesus Christ" and "the kingdom of *his Son*." These words contained a doctrine by implication which he and his friends could not subscribe to. They wanted to work with the National Conference; but they could not work with it on the present platform without losing their self-respect. Addresses in favor of the amendment having been made by C. C. Burleigh and Rev. Mr. Towne, and against it by Dr. Bellows, Dr. Osgood, Dr. Clarke, Rev. Mr. Mayo, and Rev. S. J. May, it was rejected, on October 10th, by a large majority. On October 11th Rev. Mr. Abbott asked to have a distinct understanding of whether the preamble as understood by the majority of the conference was binding upon all its members. The chair decided that the question could not be entertained, but he would say for himself that he regarded liberty of interpretation as an inalienable right. Rev. J. F. Clarke, in the name of the committee charged by the National Unitarian Convention, held in New York in 1865, with the duty of promoting acquaintance, fraternity, and unity between the Unitarians and all Christians of like liberal faith, recommended that, in the first article of the constitution, the words, "National Conference of Unitarian Churches" be amended so as to read, "National Conference of Unitarian and other Christian Churches." This amendment was almost unanimously carried. A resolution, introduced by Rev. Mr. Hatch, to explain the above amendment, was as follows:

*Resolved*, That, in adopting the term "other Christian churches," we do not mean to exclude religious

societies which have no distinctive church organization, and are not nominally Christians, if they desire to coöperate with us in what we call Christian work.

This resolution was rejected. Rev. Frederick Hickley offered the following:

*Resolved*, That this Conference reciprocates the expression of cordial sympathy and willingness to coöperate with us contained in the resolutions passed by the recent United States Convention of Universalists.

*Resolved*, That Rev. J. F. Clarke, Rev. S. J. May, and Rev. Robert Collyer, be a committee to promote acquaintance, fraternity, and unity, between ourselves and all our brethren of liberal faith.

Both these resolutions were unanimously passed. Rev. E. E. Hale presented a series recommending the formation of several local conferences, and instructing the council to superintend this work. These local associations are to hold meetings from time to time, ascertain and report upon the religious condition and wants of their respective districts, and do what they can to strengthen the churches already existing, and establish new ones in the most promising localities. Each conference is entitled to three delegates in the National Conference. The motion of Mr. Hale was unanimously adopted. It was also resolved, on motion of Mr. Hale, that the meetings of the conference be held biennially, instead of annually, and that the constitution be altered accordingly. A resolution offered by Rev. Frederick Frothingham, inviting the Unitarian churches in Canada to join the conference, was passed, when the president and the friends of the Meadville Theological School presented a resolution to raise \$34,000 for the endowment fund of the school. The conference subscribed on the spot \$30,000, it having previously been stated that friends in Meadville would give \$4,000. The following resolution on the subject of temperance was unanimously adopted:

*Resolved*, That the renewed effort for the removal of intemperance throughout the country should receive our hearty encouragement and support, and we urge upon all to help on the work by the personal protest of word and example against the drinking usages of society, and by such other methods as may seem to them wisest and best.

On the state of the country, the following resolutions were offered by Rev. A. R. Putnam, recommended by the Rev. Mr. May, in the name of the committee to which they had been referred, and unanimously and enthusiastically passed.

*Resolved*, By the National Conference of Unitarian and other Christian churches, that we gratefully recognize the goodness of God in that He has in His providence brought to a triumphant conclusion the warfare which our people waged for the maintenance of our Union and the safety of our free institutions, and that He has made the civil contest in which we have been engaged to end in the emancipation of our land from the sin and curse of human slavery.

*Resolved*, That we deem it to be the solemn duty of all loyal men to see to it that the Union, which has been saved by loyal arms, and cemented by loyal blood, shall be intrusted to the supreme control of those who have proved themselves true to the cause of the Government and the interests of freedom; and



that we insist that the fruits of our great victory, won by such vast sacrifices and untold sufferings, shall not be lost in an evil hour to our country and to the world.

*Resolved*, That we do most profoundly sympathize with our fellow-countrymen, both white and black, in the South, in all the persecutions and trials to which they are subjected, and that we will give ourselves no rest until black and white alike are secure in the enjoyment of the right of suffrage, and of all the privileges and immunities of free citizens of a free country.

*Resolved*, That while other denominations of Christians are beginning to feel their obligations to the four millions of liberated slaves in the South, and to do their part to educate and Christianize them, we, too, would be deeply impressed with a sense of our own duty to these poor and long-afflicted classes of our common humanity, and we desire and purpose to fulfil our appropriate part of the work of lifting them up to a higher level of civilized life and spiritual progress.

The Rev. H. W. Bellows, D. D., Artemas Carter, the Rev. J. F. Clarke, D. D., the Rev. Charles Lowe, Warren Sawyer, the Rev. A. D. Mayo, C. S. May, Charles E. Guild, Esq., the Rev. E. E. Hale, and O. G. Steele, were declared members of the "Council of Ten," who, with the president, vice-presidents, and secretaries of the meeting, constitute the officers of the National Conference until the next meeting of the Conference.

Rev. Charles Lowe, Secretary of the American Unitarian Association, gave a condensed statement of what the association had done the past year, in order to show what support it deserved. During the year 1866 it had aided fifty-nine feeble societies, giving opportunities of hearing Unitarian doctrines preached in 107 places where they had not been held before, and employed 19 missionaries for three months or more, besides 87 others for longer or shorter periods.

The convention voted to raise \$200,000 during the current year for expenditure in the general missionary work, to sustain feeble churches, to carry the missionaries of the church to the outposts of civilization on our own continent, planting the standard of the Gospel in new fields, distributing the literature of the Unitarian Church, and in aid of religious young men who desire to devote themselves to the work of the Gospel ministry.

In accordance with the resolution concerning the organization of local conferences, a number of such conferences was organized in the last month of the year 1866. (A full list is given in the "Year-book of the Unitarian Congregational Churches," for 1867.) In order to promote co-operation with Universalists and other "liberal Christians," a number of conferences of liberal Christians was organized. One of the first conferences of this class was the "New York Central Conference of Liberal Christians," in the organization of which at Rochester, November, 1866, 22 Universalist, 7 Unitarian, and 1 "Christian Connection" clergymen, with a number of lay delegates, took part. According to the constitution of this conference its object

"shall be to promote the religious life and mutual sympathy of the churches which unite in it, and to enable them to coöperate in missionary and other work." The conference "shall be composed of all accredited clergymen and churches within its limits, and each church, college, and Christian society, may be represented by two lay delegates." The officers of the conference were authorized to advise in the settlement, in such localities as may require their mediation, of any differences arising as to the name, union, and denominational connection of a society or church.

UNITED BRETHREN IN CHRIST. This denomination published, in 1866, for the first time, a denominational almanac, from which we gather the following intelligence concerning their present condition and history :

CONFERENCES.	Preaching Places.	No. of Classes or Societies.	No. of Members.	Itinerant Preachers.
East Pennsylvania.....	190	156	4,825	31
Pennsylvania .....	158	130	4,832	26
Alleghany .....	222	142	4,206	27
Virginia .....	100	90	3,164	18
Parkersburg .....	132	80	2,501	17
Western Reserve.....	126	106	2,473	30
Erie .....	142	93	1,506	29
Canada .....	59	53	1,158	12
Kansas.....	*120	*100	*1,000	*18
Missouri .....	142	83	1,886	23
Muskingum .....	96	80	2,339	20
California.....	25	13	235	9
Oregon .....	71	36	1,034	16
White River.....	124	116	3,959	27
Indiana.....	169	112	4,141	19
Miami .....	81	81	3,948	29
Auglaize .....	149	139	3,509	22
Sandusky.....	190	176	5,567	40
Scioto .....	239	212	7,097	33
Michigan.....	131	112	2,689	23
North Michigan.....	151	114	1,601	21
St. Joseph.....	164	151	3,860	33
Upper Wabash.....	128	86	2,940	24
Lower Wabash.....	170	130	3,762	27
Illinois .....	126	106	2,869	23
Central Illinois.....	110	73	1,738	26
Rock River .....	*120	*100	*2,800	27
Wisconsin .....	86	55	1,179	20
Fox River.....	48	36	596	15
Minnesota.....	45	24	612	16
North Iowa.....	95	57	1,143	19
Iowa.....	*96	*60	*1,200	14
East Des Moines.....	*80	*70	*1,500	18
West Des Moines.....	*75	62	*1,480	16
Ohio German.....	95	63	1,221	21
Total.....	4,255	3,297	91,570	789

Tennessee Mission—No. of members, 200; Kentucky Mission—No. of members, 400.

The organization of the United Brethren dates from 1774, though the first annual conference was not held until 1800, nor the first general conference until 1815. In doctrine it is Arminian, and in polity Methodist; while, with regard

\* Estimated.



to the ordinances, individual conviction decides whether baptism shall be observed according to Baptist or Pedobaptist views, and whether feet-washing shall or shall not be practised. A general publishing house, three periodicals in English, and one in German, advocate the sentiments of the denomination, and eight colleges and seminaries receive its fostering care. Since the organization of its General Missionary Society, in 1853, \$18,379.96 have been expended on its foreign mission (in Western Africa); \$127,667.75 on its frontier missions; and \$276,249.43 on its home missions (under the control of self-sustaining conferences). By the foregoing table it is seen that the denomination at present numbers 35 annual conferences, with 789 itinerant preachers, and 3,297 classes or societies. It has 755 local preachers, and a membership of 91,570 (an increase since the last report of 7,047), whose contributions toward all purposes amounted, for the year, to \$341,279.91—something less than four dollars each. With 1,173 houses of worship, it maintains 1,775 Sabbath-schools. Of its five bishops, one—Rev. J. J. Glossbrenner—resides in Augusta County, Va.; and the conference which bears the name of the State, numbers 3,164 members. But the great body of its churches lie in the Northwest.

UNITED STATES. The disapprobation of a portion of the people of the United States with the measures adopted by the President for the restoration of the Southern States to the Union was not decisively expressed until the meeting of Congress in December, 1865. One of the first acts of a large majority in each House was the appointment of a joint committee of fifteen, to which was referred all questions relating to the conditions and manner in which Congress would recognize those States as members of the Union. Meantime the credentials of all persons sent as Representatives or Senators from them were laid upon the table in each House, there to remain until the final action of the Committee of Fifteen. (*See CONGRESS U. S.*) This was followed by the passage of an act, known as the "Civil Rights Act," and another for the extension of the "Freedmen's Bureau." Both these bills were vetoed by President Johnson. (*See PUBLIC DOCUMENTS.*) Upon their return to Congress they were reconsidered and passed by the majority required by the Constitution to make them laws of the United States. An examination of these acts, and the debates which took place on their passage, will serve to show what were the views then entertained by the ruling majority in the Government, relative to the people in the Southern States; while, on the other hand, the veto messages present the opinions of the Executive on these incidental issues. The great issue of reconstruction was not yet developed; but enough was seen to make it evident that the disagreement between the Executive and Congress foreshadowed during the previous year, now not only actually existed, but was likely to become wider and more

irreconcilable. Meanwhile the relations of the Southern States remained in abeyance. The great number of propositions offered by individual members of Congress relative to the people of the Southern States and their restoration to the Union, may be seen in the preceding pages of the debates. It should be stated that, in addition to these, a proposition was offered by Senator Stewart, of Nevada, which was afterward designated as the "Universal Suffrage and General Amnesty Measure." It proposed to receive into the Union, and admit to representation in Congress each one of the Southern States which should so amend its constitution as—1. To do away with all existing distinctions as to civil rights and disabilities among the various classes of its population, by reason either of race or color, or previous condition of servitude. 2. To repudiate all pecuniary indebtedness which said State may have heretofore contracted, incurred, or assumed, in connection with the late war. 3. To yield all claim to compensation on account of the liberation of its slaves. 4. To provide for the extension of the elective franchise to all persons upon the same terms and conditions, making no discrimination on account of race, color, or previous condition of servitude: *Provided*, That those who were qualified to vote in the year 1860 by the laws of the respective States, shall not be disfranchised by reason of any new tests or conditions which have been or may be prescribed since that year.

Upon the ratification of these conditions by a majority of the voters of the State, a general amnesty should be proclaimed in regard to all persons in each State who were connected with armed opposition to the Federal Government.

The views of the Executive Department of the Government on the state of the country had not only been expressed in speeches during the previous year, and in the message to Congress assembled in December, 1865, but in a conversation with Senator Dixon of Connecticut, on January 28th, the President is reported to have expressed the following views:

The President said that he doubted the propriety at this time of making further amendments to the Constitution. One great amendment had already been made, by which slavery had forever been abolished within the limits of the United States, and a national guaranty thus given that the institution should never exist in the land. Propositions to amend the Constitution were becoming as numerous as preambles and resolutions at town meetings called to consider the most ordinary questions connected with the administration of local affairs. All this, in his opinion, had a tendency to diminish the dignity and prestige attached to the Constitution of the country, and to lessen the respect and confidence of the people in their great charter of freedom. If, however, amendments are to be made to the Constitution, changing the basis of representation and taxation (and he did not deem them at all necessary at the present time), he knew of none better than a simple proposition, embraced in a few lines, making in each State the number of qualified voters the basis of representation, and the value of property the basis of direct taxation. Such a proposition could be embraced in the following terms:



"Representatives shall be apportioned among the several States which may be included within this Union according to the number of qualified voters in each State.

"Direct taxes shall be apportioned among the several States which may be included within this Union according to the value of all taxable property in each State."

An amendment of this kind would, in his opinion, place the basis of representation and direct taxation upon correct principles. The qualified voters were, for the most part, men who were subject to draft and enlistment when it was necessary to repel invasion, suppress rebellion, and quell domestic violence and insurrection. They risk their lives, shed their blood, and peril their all to uphold the Government and give protection, security, and value to property. It seemed but just that property should compensate for the benefits thus conferred by defraying the expenses incident to its protection and enjoyment.

Such an amendment, the President also suggested, would remove from Congress all issues in reference to the political equality of the races. It would leave the States to determine absolutely the qualifications of their own voters with regard to color; and thus the number of representatives to which they would be entitled in Congress would depend upon the number upon whom they conferred the right of suffrage.

The President, in this connection, expressed the opinion that the agitation of the negro-franchise question in the District of Columbia at this time was the mere entering-wedge to the agitation of the question throughout the States, and was ill-timed, uncalled for, and calculated to do great harm. He believed that it would engender enmity, contention, and strife between the two races, and lead to a war between them, which would result in great injury to both, and the certain extermination of the negro population. Precedence, he thought, should be given to more important and urgent matters, legislation upon which was essential for the restoration of the Union, the peace of the country, and the prosperity of the people.

Again, on February 7th, a colored delegation called upon the President, and had an interview with him. Mr. George T. Downing, in his address to the President, said:

We are in a passage to equality before the law. God hath made it by opening a Red Sea. We would have your assistance through the same. We come to you in the name of the United States, and are delegated to come by some who have unjustly worn iron manacles on their bodies—by some whose minds have been manacled by class legislation in States called free. The colored people of the States of Illinois, Wisconsin, Alabama, Mississippi, Florida, South Carolina, North Carolina, Virginia, Maryland, Pennsylvania, New York, the New England States, and the District of Columbia, have specially delegated us to come.

Our coming is a marked circumstance, noting determined hope that we are not satisfied with an amendment prohibiting slavery, but that we wish it enforced with appropriate legislation. This is our desire. We ask for it intelligently, with the knowledge and conviction that the fathers of the Revolution intended freedom for every American—that they should be protected in their rights as citizens and equal before the law. We are Americans, native-born Americans. We are citizens, we are glad to have it known to the world, as bearing no doubtful record on this point. On this fact, and with confidence in the triumph of justice, we base our hope. We see no recognition of color or race in the organic law of the land. It knows no privileged class, and therefore we cherish the hope that we may be fully enfranchised, not only here in this District, but

throughout the land. We respectfully submit that rendering any thing less than this will be rendering to us less than our just due; that granting any thing less than our full rights will be a disregard of our just rights, of due respect of our feelings.

Mr. Frederick Douglass followed in an address, in which he said:

In the order of Divine Providence you are placed in a position where you have the power to save or destroy us; to bless or blast us—I mean our whole race. Your noble and humane predecessor placed in our hands the sword to assist in saving the nation, and we do hope that you, his able successor, will favorably regard the placing in our hands the ballot with which to save ourselves.

We shall submit no argument on that point. The fact that we are the subjects of Government, and subject to taxation, subject to volunteer in the service of the country, subject to being drafted, subject to bear the burdens of the State, makes it not improper that we should ask to share in the privileges of this condition.

The President, in his reply, said:

Now, it is always best to talk about things practically, and in a common-sense way. I have said, and I repeat here, that if the colored man in the United States could find no other Moses, or any Moses that would be more able and efficient than myself, I would be his Moses to lead him from bondage to freedom; that I would pass him from a land where he had lived in slavery to a land (if it were in our reach) of freedom. Yes, I would be willing to pass with him through the Red Sea to the Land of Promise—to the land of liberty; but I am not willing, under any circumstances, to adopt a policy which I believe will only result in the sacrifice of his life and the shedding of his blood. I think I know what I say. I feel what I say; and I feel well assured, that if the policy urged by some be persisted in, it will result in great injury to the white as well as to the colored man. There is a great deal of talk about the sword in one hand accomplishing an end, and the ballot accomplishing another.

These things all do very well, and sometimes have forcible application. We talk about justice; we talk about right; we say that the white man has been in the wrong in keeping the black man in slavery as long as he has. That is all true. Again, we talk about the Declaration of Independence and equality before the law. You understand all that, and know how to appreciate it. But, now, let us look each other in the face; let us go to the great mass of colored men throughout the slave States; let us see the condition in which they are at the present time—and it is bad enough we all know—and suppose by some magic touch you could say to every one, "You shall vote to-morrow," how much would that ameliorate their condition at this time?

Now, let us get closer to this subject, and talk about it. What relation have the colored man and the white man heretofore occupied in the South? \* \* \* \* I was getting at the relation that subsisted between the white man and the colored man. A very small proportion of white persons, compared with the whole number of such, owned the colored people of the South. I might instance the State of Tennessee in illustration. There were there twenty-seven non-slaveholders to one slaveholder, and yet the slave-power controlled that State. Let us talk about this matter as it is. Although the colored man was in slavery there, and owned as property in the sense and in the language of that locality and of that community, yet, in comparing his condition and his position there with the non-slaveholder, he usually estimated his importance just in proportion to the number of slaves that his master owned, with the non-slaveholder.

Have you ever lived upon a plantation?



Mr. Douglass: I have, your excellency.

The President: When you would look over and see a man who had a large family, struggling hard upon a poor piece of land, you thought a great deal less of him than you did of your own master?

Mr. Douglass: Not I.

The President: Well, I know such was the case with a large majority of you in those sections. Where such is the case we know there is an enmity, we know there is a hate. The poor white man, on the other hand, was opposed to the slave and his master; for the colored man and his master combined kept him in slavery, by depriving him of a fair participation in the labor and productions of the rich land of the country.

Don't you know that a colored man in going to hunt a master (as they call it) for the next year preferred hiring to a man who owned slaves rather than to one who did not? I know the fact, at all events. They did not consider it quite as respectable to hire to a man who did not own negroes as to one who did.

Mr. Douglass: Because he wouldn't be treated as well.

The President: Then that is another argument in favor of what I'm going to say. It shows that the colored man appreciated the slave-owner more highly than he did the man who didn't own slaves. Hence the enmity between the colored man and the non-slaveholders.

The white man was permitted to vote because government was derived from him. He is a part and parcel of the political machinery.

Now, by the rebellion or revolution—and when you come back to the objects of this war, you find that the abolition of slavery was not one of the objects; Congress and the President himself declared that it was waged on our part in order to suppress the rebellion—the abolition of slavery has come as an incident to the suppression of a great rebellion, and as an incident we should give it the proper direction.

The colored man went into this rebellion a slave; by the operation of the rebellion he came out a free man—equal to a free man in any other portion of the country. Then there is a great deal done for him on this point. The non-slaveholder was forced into the rebellion, and was as loyal as those who lived beyond the limits of the State, was carried into it, and his property, and, in a number of instances, the lives of such were sacrificed, and he who has survived has come out of it with nothing gained, but a great deal lost.

Now, upon a principle of justice, should they be placed in a condition different from what they were before? On the one hand, one has gained a great deal; on the other hand, one has lost a great deal, and, in a political point of view, scarcely stands where he did before.

Now, we are talking about where we are going to begin. We have got at the hate that existed between the two races. The query comes up, whether these two races, situated as they were before, without preparation, without time for passion and excitement to be appeased, and without time for the slightest improvement—whether the one should be turned loose upon the other, and be thrown together at the ballot-box with this enmity and hate existing between them. The query arises, if, there, we don't commence a war of races. I think I understand this question; and especially is this the case when you force it upon the people without their consent.

Again, on February 10th, a committee of the Virginia Legislature presented to the President resolutions approving his course, passed by the House of Delegates. In response, President Johnson said:

I repeat, I am gratified to meet you to-day, ex-

pressing the principles and announcing the sentiments to which you have given utterance, and I trust that the occasion will long be remembered. I have no doubt that your intention is to carry out and comply with every single principle laid down in the resolutions you have submitted. I know that some are distrustful; but I am of those who have confidence in the judgment—in the integrity—in the intelligence—in the virtue of the great mass of the American people; and having such confidence, I am willing to trust them, and I thank God that we have not yet reached that point where we have lost all confidence in each other.

The spirit of the Government can only be preserved, we can only become prosperous and great as a people, by mutual forbearance and confidence. Upon that faith and that confidence alone can the Government be successfully carried on.

On the cardinal principle of representation to which you refer I will make a single remark. That principle is inherent; it constitutes one of the fundamental elements of this Government. The representatives of the States and of the people should have the qualifications prescribed by the Constitution of the United States, and those qualifications most unquestionably imply loyalty. He who comes as a representative, having the qualifications prescribed by the Constitution to fit him to take a seat in either of the deliberative bodies which constitute the National Legislature, must necessarily, according to the intention of the Constitution, be a loyal man, willing to abide by and devoted to the Union and the Constitution of the States. He cannot be for the Constitution, he cannot be for the Union, he cannot acknowledge obedience to all the laws, unless he is loyal. When the people send such men in good faith, they are entitled to representation through them.

In going into the recent rebellion or insurrection against the Government of the United States we erred; and in returning and resuming our relations with the Federal Government, I am free to say that all the responsible positions and places ought to be confined distinctly and clearly to men who are loyal. If there were only five thousand loyal men in a State, or a less number, but sufficient to take charge of the political machinery of the State, those five thousand men, or the lesser number, are entitled to it, if all the rest should be otherwise inclined. I look upon it as being fundamental that the exercise of political power should be confined to loyal men; and I regard that as implied in the doctrines laid down in these resolutions and in the eloquent address by which they have been accompanied. I may say furthermore, that, after having passed through the great struggle in which we have been engaged, we should be placed upon much more acceptable ground in resuming all our relations to the General Government if we presented men unmistakably and unquestionably loyal to fill the places of power. This being done, I feel that the day is not far distant—I speak confidently in reference to the great mass of the American people—when they will determine that this Union shall be made whole, and the great right of representation in the councils of the nation be acknowledged.

Gentlemen, that is a fundamental principle. "No taxation without representation" was one of the principles which carried us through the Revolution. This great principle will hold good yet; and if we but perform our duty, if we but comply with the spirit of the resolutions presented to me to-day, the American people will maintain and sustain the great doctrines upon which the Government was inaugurated. It can be done, and it will be done; and I think that if the effort be fairly and fully made, with forbearance and with prudence, and with discretion and wisdom, the end is not very far distant.

It seems to me apparent that from every consideration the best policy which could be adopted at



present would be a restoration of these States and of the Government upon correct principles. We have some foreign difficulties, but the moment it can be announced that the Union of the States is again complete, that we have resumed our career of prosperity and greatness, at that very instant, almost, all our foreign difficulties will be settled, for there is no power upon earth which will care to have a controversy or a rupture with the Government of the United States under such circumstances.

Again, on the 22d of February, the anniversary of the birth of General Washington, a public meeting was held in Washington, at which resolutions were adopted that approved of the messages of the President and complimented his administration. The meeting on adjourning proceeded to the President's residence, and presented to him the resolutions. In the course of his reply from the front portico of his mansion, he said:

The rebellion is put down by the strong arm of the Government in the field. But is this the only way in which we can have rebellions? This was a struggle against a change and a revolution of the Government, and before we fully get from the battle-fields—when our brave men have scarcely returned to their homes and renewed the ties of affection and love to their wives and their children—we are now almost inaugurated into another rebellion. One rebellion was the effort of States to secede, and the war on the part of the Government was to prevent them from accomplishing that, and thereby changing the character of our Government and weakening its power. When the Government has succeeded, there is an attempt now to concentrate all power in the hands of a few at the Federal head, and thereby bring about a consolidation of the Republic, which is equally objectionable with its dissolution. We find a power assumed and attempted to be exercised of a most extraordinary character. We see now that governments can be revolutionized without going into the battle-field; and sometimes the revolutions most distressing to a people are effected without the shedding of blood. That is, the substance of your Government may be taken away, while there is held out to you the form and the shadow. And now, what are the attempts and what is being proposed? We find that by an irresponsible central directory nearly all the powers of Congress are assumed without even consulting the legislative and executive departments of the Government. By a resolution reported by a committee upon whom and in whom the legislative power of the Government has been lodged, that great principle in the Constitution which authorizes and empowers the legislative department, the Senate and House of Representatives, to be the judges of elections, returns, and qualifications of its own members, has been virtually taken away from the two respective branches of the National Legislature, and conferred upon a committee, who must report before the body can act on the question of the admission of members to their seats. By this rule they assume a State is out of the Union, and to have its practical relations restored by that rule, before the House can judge of the qualifications of its own members. What position is that? You have been struggling four years to put down a rebellion. You contended at the beginning of that struggle that a State had not a right to go out. You said it had neither the right nor the power, and it has been settled that the States had neither the right nor the power to go out of the Union. And when you determine by the executive, by the military, and by the public judgment, that these States cannot have any right to go out, this committee turns round and assumes that they are out, and that they shall not come in.

I am free to say to you as your Executive that I am not prepared to take any such position. I said in the Senate, in the very inception of this rebellion, that the States had no right to secede. That question has been settled. Thus determined, I cannot turn round and give the lie direct to all that I profess to have done during the last four years. I say that when the States that attempted to secede comply with the Constitution, and give sufficient evidence of loyalty, I shall extend to them the right hand of fellowship, and let peace and union be restored. I am opposed to the Davises, the Tombes, the Slidells, and the long list of such. But when I perceive on the other end of the line men—I care not by what name you call them—still opposed to the Union, I am free to say to you that I am still with the people. I am still for the preservation of these States—for the preservation of this Union, and in favor of this great Government accomplishing its destiny.

[Here the President was called upon to give the names of three persons to whom he had alluded as being opposed to the Union.]

The gentleman calls for three names. I am talking to my friends and fellow-citizens here. Suppose I should name to you those whom I look upon as being opposed to the fundamental principles of this Government, and as now laboring to destroy them. I say Thaddeus Stevens, of Pennsylvania; I say Charles Sumner, of Massachusetts; I say Wendell Phillips, of Massachusetts. [Great cheering, and a voice, "Forney!"]

I do not waste my fire on dead ducks. I stand for the country, and though my enemies may traduce, slander, and vituperate, I may say that has no force.

In addition to this, I do not intend to be governed by real or pretended friends, nor do I intend to be bullied by my enemies. An honest conviction is my sustenance, the Constitution my guide. I know, my countrymen, that it has been insinuated—nay, said directly, in high places—that if such a usurpation of power had been exercised two hundred years ago, in particular reigns, it would have cost an individual his head. What usurpation has Andrew Johnson been guilty of? My only usurpation has been committed by standing between the people and the encroachments of power. And because I dared say in a conversation with a fellow-citizen, and a Senator too, that I thought amendments to the Constitution ought not be so frequent, lest the instrument lose all its sanctity and dignity, and be wholly lost sight of in a short time, and because I happened to say in conversation that I thought that such and such an amendment was all that ought to be adopted, it was said that I had suggested such a usurpation of power as would have cost a king his head in a certain period! In connection with this subject, one has exclaimed that we are in the "midst of earthquakes, and he trembled." Yes, there is an earthquake approaching, there is a groundswell coming of popular judgment and indignation. The American people will speak, and by their instinct, if in no other way, know who are their friends, when and where and in whatever position I stand—and I have occupied many positions in the Government, going through both branches of the Legislature. Some gentleman here behind me says, "And was a tailor." Now, that don't affect me in the least. When I was a tailor I always made a close fit, and was always punctual to my customers, and did good work.

A voice: "No patchwork."

THE PRESIDENT: No, I did not want any patchwork. But we pass by this digression. Intimations have been thrown out—and when principles are involved and the existence of my country is imperilled, I will, as on former occasions, speak what I think. Yes! Cost him his head! Usurpation! When and where have I been guilty of this? Where is the man in all the positions I have occupied, from that of alderman to the Vice-Presidency, who can say that Andrew Johnson ever made a pledge that he



did not redeem, or ever made a promise that he violated, or that he acted with falsity to the people?

They may talk about beheading, but when I am beheaded I want the American people to be the witness. I do not want by innuendoes of an indirect character in high places to have one say to a man who has assassination broiling in his heart, "there is a fit subject," and also exclaim that the "Presidential obstacle" must be got out of the way, when possibly the intention was to instigate assassination. Are those who want to destroy our institutions and change the character of the Government not satisfied with the blood that has been shed? Are they not satisfied with one martyr? Does not the blood of Lincoln appease the vengeance and wrath of the opponents of this Government? Is their thirst still unslaked? Do they want more blood? Have they not honor and courage enough to effect the removal of the Presidential obstacle otherwise than through the hands of the assassin? I am not afraid of assassins; but if it must be, I would wish to be encountered where one brave man can oppose another. I hold him in dread only who strikes cowardly. But if they have courage enough to strike like men (I know they are willing to wound, but they are afraid to strike); if my blood is to be shed because I vindicate the Union and the preservation of this Government in its original purity and character, let it be so; but when it is done, let an altar of the Union be erected, and then, if necessary, lay me upon it, and the blood that now warms and animates my frame shall be poured out in a last libation as a tribute to the Union; and let the opponents of this Government remember that when it is poured out, the blood of the martyr will be the seed of the Church. The Union will grow. It will continue to increase in strength and power, though it may be cemented and cleansed with blood.

I come here to-day to vindicate, in so far as I can in these remarks, the Constitution; to save it, as I believe, for it does seem that encroachment after encroachment is to be pressed; and as I resist encroachments on the Government, I stand to-day prepared to resist encroachments on the Constitution, and thereby preserve the Government. It is now peace, and let us have peace. Let us enforce the Constitution. Let us live under and by its provisions. Let it be published in blazoned characters, as though it were in the heavens, so that all may read and all may understand it. Let us consult that instrument, and, understanding its principles, let us apply them. I tell the opponents of this Government, and I care not from what quarter they come, East or West, North or South, "You that are engaged in the work of breaking up this Government are mistaken. The Constitution and the principles of free government are deeply rooted in the American heart." All the powers combined, I care not of what character they are, cannot destroy the image of Freedom. They may succeed for a time, but their attempts will be futile. They may as well attempt to lock up the winds or chain the waves. Yes, they may as well attempt to repeal it (as it would seem that the Constitution can be), by a concurrent resolution; but when it is submitted to the popular judgment, they will find it just as well to introduce a resolution repealing the law of gravitation; and the idea of preventing the restoration of the Union is about as feasible as resistance to the great law of gravity which binds all to a great common centre. This great law of gravitation will bring back those States to harmony and their relations to the Federal Government, and all machinations North and South cannot prevent it. All that is wanting is time, until the American people can understand what is going on, and be ready to accept the view just as it appears to me. I would to God that the whole American people could be assembled here to-day as you are! I could wish to have an amphitheatre large enough to contain the whole thirty millions; that they could be here and witness the great struggle to preserve the Constitution of our

fathers. They could at once see what it is, and how it is, and what kind of spirit is manifested in the attempt to destroy the great principles of free government; and they could understand who is for them and who is against them, and who was for ameliorating their condition. Their opposers could be placed before them, and there might be a regular contest, and in the first tilt the enemies of the country would be crushed. I have detained you longer than I intended; but in this struggle I am your instrument.

A decision of the Supreme Court of the United States against the constitutionality of test oaths, based on principles fatal to the whole system, in a case arising under the act of Congress requiring an oath to be taken by the attorneys of the court, served to call forth a more decided expression of views from those regarded as the most radical. The court convened soon after the first of January, and its views upon these cases were early indicated. The president (Governor Ward, of New Jersey) of the National Republican committee, on the assembling of that body at Washington, addressed them, saying, that the people of the Northern States had, at the recent elections in October and November preceding, attested anew their adherence to the Republican creed, and their unswerving determination to build the future of this nation on the enduring basis of justice, humanity, and freedom. The right of suffrage should not depend upon the accidents of color, or race, in the final settlement of these questions. He said: "We hold the vantage-ground which right confers, and neither the power of the President nor the dictate of courts can stay the progress of those eternal truths which are written in revelation, inscribed on the hearts of the good and true, and ever illuminating the onward progress of our race."

Mr. Wendell Phillips, in a letter at the same time, said: "The late decisions of the Supreme Court show us that we must henceforth count two of the three great coequal powers of the Government against us. Henceforth Congress fights alone for the nation against the Supreme Court and the President, leagued in the service of rebeledom. Of course, therefore, the contest grows keener and more equal, and the South takes courage. The North is not discouraged, because she knows her omnipotence—knows that she can crush all the mere forms of government when it is necessary so to do in order to secure its great purpose—justice, and the preservation of national existence. This the people mean to do, and will do, unless balked by timid, selfish, incompetent, and corrupt leaders."

At public meetings in Illinois, resolutions were adopted asking the House of Representatives to take measures to cause the impeachment of the President; requesting Congress to continue in session until March, 1867, to prevent the abuse of patronage, etc.

But the determination of the President to adhere to the policy he had adopted, was unshaken amid the proceedings of Congress, the declarations of the press, and the resolutions of assemblages. To a delegation from Kentucky



on March 8th, he returned his thanks for their "kind expressions and manifestations of confidence;" declared the present was regarded as a most critical juncture in the affairs of the nation—scarcely less so than when an armed and organized force sought to overthrow the Government; his stand was taken, his course was marked out; he should stand by and defend the Constitution against all who might attack it, from whatever quarter the attack might come; he should take no step backward in the matter.

These views of the President, so determined and so decisive, in opposition to the plan of reconstruction, and its attendant measures, contemplated by the large majority in Congress, were approved by a few individuals in each House of that body, by many of the Republican party in the country, and by all composing the Democratic party. Republicans in Washington coinciding with his opinions, now formed an organization designated as the "National Union Club," which might be the germ of similar organizations through the Northern States, if a general disposition to revolt from the more extreme measures of the Radicals, as the majority in Congress were called, should appear in the party. The basis of the organization was expressed in a series of resolutions denying the right of secession; expressing confidence in the ability, integrity, patriotism, and statesmanship of the President; indorsing the resolution of Congress in July 1861; asserting from the Chicago platform of 1860, the importance of maintaining the rights of the States; declaring the constitutional right of the several States to prescribe the qualification of electors therein; that, the war having closed, the rights of the States should be maintained inviolate; that the States were entitled to representation, and all loyal members should be received without unnecessary delay; that no compromise should be made by bartering "universal amnesty" for "universal suffrage;" and indorsing cordially the restoration policy of President Johnson, as in harmony with that of President Lincoln, etc. This organization was subsequently united with another of the same character in Washington, and a national Union executive committee appointed. One of the first acts of the first-named organization was to give an evening serenade on May 23d to the President and the members of his Cabinet, in order to elicit an expression of opinion upon the existing political issues, from the immediate advisers of the President, and to satisfy an anxiety to know with certainty the views of those prominent officers of the Government. The Secretary of the Navy, Mr. Gideon Welles, who first of the members of the Cabinet appeared, said: "You need not expect any remarks from me, for I do not intend to make any. You are, one and all, I suppose, for the Union and for the establishment of the rights of the States." The Secretary of the Treasury, Mr. Hugh McCulloch, spoke freely and fully. He said: "The general policy of the President in ref-

erence to the Southern States, and the people recently in arms against the Federal Government, has commended itself to my deliberate judgment." The Secretary of War, Mr. Edwin M. Stanton, made a carefully prepared review of the leading measures of public policy, and defined his position with regard to each of them. He said:

No one better than Mr. Johnson understood the solemn duty imposed upon the National Executive to maintain the national authority, vindicated at so great a sacrifice, and the obligation not to suffer the just fruits of so fierce a struggle, and of so many battles and victories, to slip away or turn to ashes. In many speeches to delegations from loyal States, in dispatches to provisional governors acting under his authority, and in declarations made to the public for their information, there was no disguise of his purpose to secure the peace and tranquillity of the country on just and sure foundations.

These measures received the cordial support of every member of the Cabinet, and were approved by the sentiments declared by conventions in nearly all of the States. One point of difference presented itself, namely, the basis of representation. By some it was thought just and expedient that the right of suffrage in the rebel States should be secured in some form to the colored inhabitants of those States, either as a universal rule, or to those qualified by education, or by actual service as soldiers who ventured life for their Government. My own mind inclined to this view, but after calm and full discussion my judgment yielded to the adverse arguments resting upon the practical difficulties to be encountered in such a measure, and to the President's conviction that to prescribe rules of suffrage was not within the legitimate scope of his power.

He further said: "The plan of restoration, or reconstruction, as it is sometimes called, now pending before the Congress, merits a brief remark. To the plan reported by the joint committee, I have not been able to give my assent." The Postmaster-General, Mr. Dennison, of Ohio, regretted the difference between the President and Congress, and said: "I do not believe there is any cause of separation between the President and the majority in Congress. Nay, if I am not greatly at fault, time and discussion are bringing the President and Congress rapidly together on the basis of a common platform of action." The Secretary of State, Mr. William H. Seward, then at Auburn, New York, made an address to the citizens on May 22d. In his view reconciliation between all parts of the country, and the representatives of all parts, was the most desirable measure, and he concluded thus: "What, then, is my conclusion? It is one, at least, that will be permitted to harmonize with my past life. I am hopeful—hopeful of the President—hopeful of Congress—hopeful of the National Union party—hopeful of the represented States—hopeful of the unrepresented States—above all, hopeful of the whole people, and hopeful of the continued favor of Almighty God."

The full approval of the President, or the moderation and forbearance manifested by these officers, served to increase the confidence and ardor of Mr. Johnson's friends. They were in the full faith that the masses of the people did



at this time, as well as at the opening of the session of Congress, approve of his course and policy respecting the restoration of the Southern States, and their representation by proper men in Congress. The result was that on June 25th a call was issued for a national Union convention of at least two delegates from each Congressional district of all the States, two from each Territory, two from the District of Columbia, and four delegates at large from each State. The day set for the convention was August 14th, and the place Philadelphia. The call for the convention continued as follows:

Such delegates will be chosen by the electors of the several States who sustain the Administration in maintaining unbroken the Union of the States under the Constitution which our fathers established, and who agree in the following propositions, viz.:

The Union of the States is, in every case, indissoluble, and is perpetual; and the Constitution of the United States, and the laws passed by Congress in pursuance thereof, supreme, and constant, and universal in their obligation.

The rights, the dignity, and the equality of the States in the Union, including the right of representation in Congress, are solemnly guaranteed by that Constitution, to save which from overthrow so much blood and treasure were expended in the late civil war.

There is no right, anywhere, to dissolve the Union, or to separate States from the Union, either by voluntary withdrawal, by force of arms, or by Congressional action; neither by the secession of the States, nor by the exclusion of their loyal and qualified representatives, nor by the National Government in any other form.

Slavery is abolished, and neither can nor ought to be reëstablished in any State or Territory within our jurisdiction.

Each State has the undoubted right to prescribe the qualifications of its own electors, and no external power rightfully can or ought to dictate, control, or influence the free and voluntary action of the States in the exercise of that right.

The maintenance inviolate of the rights of the States, and especially of the right of each State to order and control its own domestic concerns, according to its own judgment exclusively, subject only to the Constitution of the United States, is essential to that balance of power on which the perfection and endurance of our political fabric depend, and the overthrow of that system by the usurpation and centralization of power in Congress would be a revolution dangerous to republican government and destructive of liberty.

Each House of Congress is made, by the Constitution, the sole judge of the elections, returns, and qualifications of its members; but the exclusion of loyal Senators and Representatives, properly chosen and qualified under the Constitution and laws, is unjust and revolutionary.

Every patriot should frown upon all those acts and proceedings, everywhere, which can serve no other purpose than to rekindle the animosities of war, and the effect of which upon our moral, social, and material interests at home, and upon our standing abroad, differing only in degree, is injurious, like war itself.

The purpose of the war having been to preserve the Union and the Constitution by putting down the rebellion, and the rebellion having been suppressed, all resistance to the authority of the General Government being at an end, and the war having ceased, war measures should also cease, and should be followed by measures of peaceful administration, so that union, harmony, and concord may be encouraged, and industry, commerce, and the arts of peace

revived and promoted; and the early restoration of all the States to the exercise of their constitutional powers in the National Government is indispensably necessary to the strength and the defence of the Republic, and to the maintenance of the public credit.

All such electors in the thirty-six States and nine Territories of the United States, and in the District of Columbia, who, in a spirit of patriotism and love for the Union, can rise above personal and sectional considerations, and who desire to see a truly National Union Convention, which shall represent all the States and Territories of the Union, assemble, as friends and brothers, under the national flag, to hold counsel together upon the state of the Union, and to take measures to avert possible danger from the same, are specially requested to take part in the choice of such delegates.

But no delegate will take a seat in such Convention who does not loyally accept the national situation and cordially indorse the principles above set forth, and who is not attached, in true allegiance, to the Constitution, the Union, and the Government of the United States.

A. W. RANDALL, President.  
J. R. DOOLITTLE,  
O. H. BROWNING,  
EDGAR COWAN,  
CHARLES KNAPP,  
SAMUEL FOWLER,

Executive Committee National Union Club.

Washington, June 25, 1866.

We recommend the holding of the above convention, and indorse the call therefor.

DANIEL S. NORTON,  
J. W. NESMITH,  
JAMES DIXON,  
T. A. HENDRICKS.

This call for a convention was followed, on July 4th, by an address "to the people of the United States," signed by forty-one Democratic members of Congress, who said, that they "cordially approved the call for a National Union Convention at Philadelphia, and indorsed the principles therein set forth." They therefore urged the people of each State, Territory, and Congressional district, to promptly select wise, moderate, and conservative men, to represent them in that convention. The reasons alleged by the signers for this appeal were, that dangers threatened the Constitution; the citadel of the public liberties was assailed; it was essential to national union that the rights, the dignity, and the equality of the States, including the right of representation, and the exclusive right to control its own domestic concerns under the Constitution, should be preserved; eleven States were excluded from the national council; the right of representation was denied to their people, while laws affecting their highest interests have been passed without their consent, and in disregard of the fundamental principles of free government.

The effect of this address was to enlist in support of the convention the majority of the Democratic party in the Northern States, in many of which active measures were immediately taken to secure full and able delegations. In others some misunderstanding arose as to the manner in which the delegates were to be chosen. This was, however, removed by an explanation emanating from the committee of



the National Union Club, which recommended the choice in each Congressional district of two delegates from among the supporters of Lincoln and Johnson in 1864, who were in favor of the principles set forth in the call, and two delegates from their opponents. In the Southern States a corresponding number of delegates should be chosen by the people generally, who accepted the principles of the call.

The committee of the organization by which the Philadelphia Convention had been called, on July 10th addressed letters to each member of the Cabinet, requesting a reply if they approved the call, and the principles avowed in it for the Philadelphia Convention. The Secretary of State, Mr. Seward, on July 11th, in reply, said:

Excuse me for expressing surprise that you ask me whether I approve of the call of a proposed National Union Convention at Philadelphia.

After more than five years of dislocation by civil war, I regard a restoration of the unity of the country as its most immediate as well as its most vital interest. That restoration will be complete when loyal men are admitted as representatives of the loyal people of the eleven States so long unrepresented in Congress. Nothing but this can complete it. Nothing more remains to be done and nothing more is necessary. Every day's delay is attended by multiplying and increasing inconveniences, embarrassments, and dangers, at home and abroad. Congress possesses the power exclusively; Congress, after a session of seven months, still omits to exercise that power. "What can be done to induce Congress to act?" This is the question of the day. Whatever is done must be in accordance with the Constitution and laws. It is in perfect accordance with the Constitution and laws that the people of the United States shall assemble, by delegates, in convention, and that when so assembled they shall address Congress by respectful petition and remonstrance, and that the people in their several States, districts, and Territories, shall approve, sanction, and unite in such respectful representations to Congress. No one party could do this effectually, or even seems willing to do it, alone; no local or popular organization could do it effectually. It is the interest of all parties alike; of all the States, and of all sections—a national interest; the interest of the whole people.

The Secretary of the Navy, Mr. Welles, on the same day, replied:

I cordially approve the movement which has been instituted to "sustain the Administration in maintaining unbroken the Union of the States," and I recognize in the call which you have sent me the principles and views by which the Administration has been governed.

The attempt made to destroy the national integrity by secession, or the voluntary withdrawal of a State from the Union, has been defeated. War has forever extinguished the heresy of secession. On the suppression of the rebellion, measures were promptly commenced to reestablish those fraternal relations which for four years had been interrupted.

The policy initiated by President Lincoln to restore national unity was adopted and carried forward by President Johnson; the States which had been in rebellion were, under this benign policy, resuming their legitimate functions; the people had laid down their arms, and those who had been in insurrection were returning to their allegiance; the Constitution had been vindicated, and the Union was supposed to be restored, when a check was put upon the progress to national harmony and prosperity thus dawning upon the country. On the as-

sembling of Congress all efforts toward union and nationality became suddenly paralyzed; the measures of reconciliation which the President had, from the time he entered upon his duties, pursued with eminent success, were assailed, and their beneficent purposes, to a great extent defeated; attempts were made to impose conditions precedent upon States before permitting them to exercise their constitutional rights; loyal Senators and Representatives from the States which had been in rebellion were refused admittance into Congress—the people were denied rightful constitutional representation—and eleven States were and are excluded from all participation in the Government. These proceedings, which conflict with the fundamental principles on which our whole government system is founded, are generating and consolidating sectional animosity, and, if long persisted in, must eventuate in permanent alienation. I rejoice, therefore, in a movement which has for its object the union in one bond of love of the people of our common country, and which invites to council and to political action the citizens of every State and Territory, from the Atlantic to the Pacific, and from the Lakes to the Gulf. The centralizing theory that the loyal and qualified Senators and Representatives from eleven States shall be excluded from Congress, and that those States and the people of those States shall not participate in the Government, is scarcely less repugnant than that of secession itself.

The Attorney-General, Mr. James Speed, of Kentucky, replied, on July 14th, approving of many of the principles set forth in the call, and yet not approving of the call itself. He said:

I will briefly state my reasons, first premising that I do not recognize the very respectable gentlemen who have made this call as the acknowledged organs of the great Union party of the country. Since the outbreak of the terrific struggle from which the country has now emerged, we have had a national Union party that has exhibited more devotion, made greater sacrifices, and manifested more unselfish patriotism, than any party ever did previously in the history of the world. That party is still in being, with its organization intact, and its organs known, and as that party, by its faith, its doctrines, and its exertions, has, in face of the prophecies of half the New, and all the Old World, saved the Government and the republican institutions of our common country from demoralization, and, indeed, from utter ruin, by vindicating at all hazard the primordial theory of the eternal and indissoluble union of the States, through which only can a particle of the theory of State rights ever be maintained and carried out, it would appear to me to be still the only, or, at any rate, the most effectual means, as far as party can do it, for finally adjusting all the remaining minor and unsettled matters of reconstruction consistently with the requirements of the theory mentioned.

This party is the same to-day as it was in the days of its trial; the same party now as when, but a few short months ago, it elected Lincoln and Johnson, and the majority of the present Congress, and as I acted with it for paramount reasons, my sense of duty demands that I remain and act with it now.

The pith and marrow of the present call, I should say, tends toward a convention to form a party for sustaining, not the Government entire—"as has been the mission of the Union party"—but a department of the Government; and here I must take the liberty of adding that I can hardly conceive of any sadder spectacle under the crisis of present circumstances than that of the tried Union party of the country becoming disloyal and broken up by divisions, or that of one branch of government of the country taking an isolated position upon questions of deep common interest, and placing itself in hostile conflict with a coördinate department.



For these and other reasons, which might be mentioned, I cannot join in the call for the convention in Philadelphia. I have said that many of the principles stated in the call are, in my view, unobjectionable. I will not stop to criticise those which are objectionable, but content myself with stating that the call fails to take any notice of one of the great issues now before the American people. I allude to the question whether the several States shall ratify or reject the last amendment proposed by Congress to the Constitution of the United States. This is a grave and all-important question. The issue upon it cannot be avoided. It should be placed fairly and squarely before the people. The failure to take ground upon so important and all-absorbing a question, must be attributed either to a desire to avoid the issue, or as a declaration of belief and policy against the adoption of the amendment. Being myself earnestly and decidedly in favor of the adoption of the amendment by the States, I cannot go into an organization that would either openly oppose that measure, or that would smother it by avoiding its discussion.

On July 11th the Postmaster-General, Mr. W. Dennison, of Ohio, tendered his resignation. It was accepted by the President, and A. W. Randall, of Wisconsin, appointed his successor. The resignation of Mr. Dennison was sent to the President, as he said in his letter, "because of the difference of opinion between us in regard to the proposed amendment of the Constitution, which I approve, and the movement for the convention to be held in Philadelphia, to which I am opposed." Mr. Speed subsequently tendered his resignation, and was succeeded by Henry Stanbery, of Ohio. The Secretary of the Interior, Mr. Harlan, of Iowa, soon after being elected Senator, resigned, and was succeeded by Orville H. Browning, of Illinois.

The measures to secure the convention in Philadelphia were condemned and repudiated by the great mass of the Republicans, and the majority in Congress. At the same time the proceedings of the latter were condemned by many of the radicals, among whom was Mr. Phillips, who, in a speech before the Anti-slavery Society, charged that Congress acted "merely with a view to bridge over the fall elections," without even a sincere desire that the amendment to the Constitution should be finally ratified. In the Southern States, the measures for the convention were almost universally approved, as tending toward a speedy restoration of the Union. Mr. Alexander H. Stephens, late Vice-President of the Confederacy, in a reply to the committee, said:

Individually my whole soul is enlisted in the cause of a speedy, full, and perfect restoration of the Government under the Constitution, and its permanency under that Constitution as it now stands. There is nothing within my power that I am not willing cheerfully to do to effect and accomplish that end. Indeed (you will excuse me in saying it, but it is the truth), I would be willing to offer up my life itself, if by so doing this great result could be obtained, and peace, union, harmony, prosperity, happiness, and constitutional liberty, be thereby secured to the millions now living, and the untold millions hereafter to live on this continent.

Meanwhile a number of persons, designated as Union men of the Southern States, on July 4th issued the following call for a convention

of the Southern Unionists to be held in Philadelphia in September:

*To the Loyal Unionists of the South:*

The great issue is upon us. The majority in Congress and its supporters firmly declare that the rights of the citizen enumerated in the Constitution, and established by the Supreme Court, must be maintained inviolate. Rebels and rebel sympathizers assert that the rights of the citizens must be left to the States alone, and under such regulations as the respective States choose voluntarily to prescribe.

We have seen the doctrine of State sovereignty carried out in its practical results until all authority in Congress was denied; the Union temporarily destroyed; the constitutional rights of the citizens of the South nearly annihilated, and the land desolated by civil war.

The time has come when the reconstruction of Southern State governments must be laid on constitutional principles, or the despotism grown up under an atrocious leadership be permitted to remain.

We know of no other plan than that Congress, under its constitutional powers, shall now exercise its authority to establish the principle whereby protection is made coëxtensive with citizenship.

We maintain that no State, either by its organic law or legislation, can make transgression on the rights of the citizen legitimate. We demand and ask you to concur in demanding protection to every citizen of this great Republic on the basis of equality before the law; and further, that no State government should be recognized as legitimate under the Constitution, in so far as it does not, by its organic law, make impartial protection full and complete. Under the doctrine of State sovereignty, with rebels in the foreground controlling Southern legislation, and embittered by disappointment in their schemes to destroy the Union, there will be no safety for the loyal element of the South.

Our reliance for protection is now on Congress and the great Union party which has stood, and is standing, by the nationality, by the constitutional rights of the citizen, and by the beneficent principles of free government. For the purpose of bringing the loyal Unionists of the South into conjunction again with the true friends of republican government of the North, we invite you to send delegates, in goodly numbers, from all the Southern States, including Missouri, Kentucky, West Virginia, Maryland, and Delaware, to meet at Independence Hall, in the city of Philadelphia, on the first Monday of September next.

It is proposed that we should meet at that time to recommend measures for the establishment of such governments in the South as accord with and protect the rights of all citizens.

We trust this call will be responded to by numerous delegations of such as represent the true loyalty of the South. That kind of government which gives full protection to all the rights of the citizen, such as our fathers intended, we claim as our birthright. Either the lovers of constitutional liberty must rule the nation, or rebels and their sympathizers be permitted to misrule it. Shall loyalty or disloyalty have the keeping of the destinies of the nation? Let the responses to this call, which is now in circulation for signatures, and is being numerously signed, answer.

Notice is given that gentlemen at a distance can have their names attached to it by sending a request by letter directed to D. W. Bingham, Esq., Washington, D. C.

W. B. Stokes, Tenn.; Jos. T. Fowler, Tenn.; Jas. Getty, Tenn.; A. J. Hamilton, Texas; Geo. W. Paschal, Texas; C. B. Salni, Texas; Z. W. Ashburn, Ga.; Henry G. Cole, Ga.; J. W. McClerry, Mo.; Jno. R. Kelso, Mo.; J. F. Benjamin, Mo.; Geo. W. Anderson, Mo.; John B. Trott, Fairfax Co., Va.; J. M. Stewart, Alexandria, Va.; Wm. N.



Berkley, Alexandria, Va.; Allin C. Hannan, Alexandria, Va.; Lewis McKenzie, Va.; J. W. Hunnicut, Va.; John C. Underwood, Va.; Burnham Wardwell, Va.; Alex. M. Davis, Va.; Byron Laffin, N. C.; Daniel R. Goodloe, N. C.; Geo. Reese, Ala.; D. H. Bingham, Ala.; M. J. Saffold, Ala.; J. H. Harcombe, Ala.

Washington, July 4, 1866.

On August 14th the National Union Convention assembled at Philadelphia, in a wigwam constructed for the purpose, and capable of accommodating some fifteen thousand persons. Every State and Territory was represented, excepting Arizona, Montana, and Utah. General John A. Dix was chosen temporary chairman, and Senator James R. Doolittle, of Wisconsin, the president of the convention. Quite a sensation was produced, at the opening of the convention, by the entrance of the delegates from Massachusetts and South Carolina arm in arm. On the third day, an address to the People of the United States, from a committee, was read by Mr. Henry J. Raymond, of New York, and approved by the convention, and the following resolutions were adopted:

The National Union Convention now assembled in the city of Philadelphia, composed of delegates from every State and Territory in the Union, admonished by the solemn lessons which, for the last five years, it has pleased the Supreme Ruler of the Universe to give to the American people; profoundly grateful for the return of peace; desirous, as are a large majority of their countrymen, in all sincerity, to forget and forgive the past; revering the Constitution as it comes to us from our ancestors; regarding the Union in its restoration as more sacred than ever; looking with deep anxiety into the future, as of instant and continuing trials, hereby issues and proclaims the following declaration of principles and purposes, on which they have, with perfect unanimity, agreed:

1. We hail with gratitude to Almighty God the end of the war and the return of peace to our afflicted and beloved land.

2. The war just closed has maintained the authority of the Constitution, with all the powers which it confers, and all the restrictions which it imposes upon the General Government, unaltered and unaltered, and it has preserved the Union, with the equal rights, dignity, and authority of the States perfect and unimpaired.

3. Representation in the Congress of the United States and in the electoral college is a right recognized by the Constitution as abiding in every State, and as a duty imposed upon the people, fundamental in its nature, and essential to the existence of our republican institutions, and neither Congress nor the General Government has any authority or power to deny this right to any State or to withhold its enjoyment under the Constitution from the people thereof.

4. We call upon the people of the United States to elect to Congress as members thereof none but men who admit this fundamental right of representation, and who will receive to seats therein loyal representatives from every State in allegiance to the United States, subject to the constitutional right of each House to judge of the elections, returns, and qualification of its own members.

5. The Constitution of the United States, and the laws made in pursuance thereof, are the supreme law of the land, any thing in the constitution or laws of any State to the contrary notwithstanding. All the powers not conferred by the Constitution upon the General Government, nor prohibited by it to the States, are reserved to the States, or to the people thereof; and among the rights thus reserved to the

States, is the right to prescribe qualifications for the elective franchise therein, with which right Congress cannot interfere. No State or combination of States has the right to withdraw from the Union, or to exclude, through their action in Congress or otherwise, any other State or States from the Union. The Union of these States is perpetual.

6. Such amendments to the Constitution of the United States may be made by the people thereof as they may deem expedient, but only in the mode pointed out by its provisions; and in proposing such amendments, whether by Congress or by a convention, and in ratifying the same, all the States of the Union have an equal and indefeasible right to a voice and a vote thereon.

7. Slavery is abolished and forever prohibited, and there is neither desire nor purpose on the part of the Southern States that it should ever be reestablished upon the soil, or within the jurisdiction of the United States; and the enfranchised slaves in all the States of the Union should receive, in common with all their inhabitants, equal protection in every right of person and property.

8. While we regard as utterly invalid, and never to be assumed or made of binding force, any obligations incurred or undertaken in making war against the United States, we hold the debt of the nation to be sacred and inviolable; and we proclaim our purpose in discharging this, as in performing all other national obligations, to maintain unimpaired and unimpeached the honor and faith of the Republic.

9. It is the duty of the National Government to recognize the services of the Federal soldiers and sailors in the contest just closed, by meeting promptly and fully all their just and rightful claims for the services they have rendered the nation, and by extending to those of them who have survived, and to the widows and orphans of those who have fallen, the most generous and considerate care.

10. In Andrew Johnson, President of the United States, who, in his great office, has proved steadfast in his devotion to the Constitution, the laws, and interests of his country, unmoved by persecution and undeserved reproach, having faith unassailable in the people and in the principles of free government, we recognize a chief magistrate worthy of the nation, and equal to the great crisis upon which his lot is cast; and we tender to him, in the discharge of his high and responsible duties, our profound respect and assurance of our cordial and sincere support.

A committee consisting of two delegates from each State was appointed to present an official copy of the proceedings to President Johnson. This presentation was made on the next day in a speech by Senator Reverdy Johnson, of Maryland. The President replied at some length, amplifying the views contained in the following extract:

But as the work progressed, as reconciliation seemed to be taking place, and the country becoming united, we found a disturbing and marring element opposing us. In alluding to that element, I shall go no further than did your convention and the distinguished gentleman who has delivered to me the report of its proceedings. I shall make no reference to it. That I do not believe the time and the occasion justify. We have witnessed in one department of the Government every effort, as it were, to prevent the restoration of peace and harmony in the Union. We have seen hanging upon the verge of the Government, as it were, a body called, or which assumes to be, the Congress of the United States, but in fact a Congress of only part of the States. We have seen this Congress assume and pretend to be for the Union, when its every step and act tended to perpetuate disunion, and make a disruption of the States inevitable.



The action of the convention was at the outset favorably received by the country, and sanguine expectations were entertained by its friends that its action would be confirmed at the subsequent elections.

Meanwhile the Republican party were not inactive. Every effort was made to preserve its ranks unbroken and retain the confidence of the people. The two resolutions which follow, extracted from a series adopted by the Union League of Philadelphia, on August 22d, express the sentiments then entertained by Republicans both toward Congress and the President:

*Resolved*, That the thanks of this League be, and they are hereby cordially presented to the loyal representatives in Congress from this and other States, who, faithful to justice, to liberty, to the Constitution, and the Union, have saved the country from the humiliation, danger, and disgrace of admitting into the public councils unpunished traitors, whose hands are stained with the blood of her loyal children.

*Resolved*, That—in the extraordinary sympathy recently manifested by Andrew Johnson, under the guidance of William H. Seward, with the prominent traitors of the country, and their political adherents;

In his treachery to a loyal people, who trusted and raised him to power;

In his recent declaration that he will so use that power as to compel every man who holds office under the Government to support his policy or give up his bread;

In his denial of the right of the people of the loyal States to exercise legislative powers in Congress in the present condition of the country;

In his indecent and ribald attacks upon their representatives for endeavoring to establish justice, and protect a weak and helpless race from persecution, oppression, and slaughter;

In his fraternity with the rebels of New Orleans, resulting in a horrible and causeless massacre of loyal, peaceful, and virtuous citizens, wicked in conception and fiendish in execution—

We recognize with profound disappointment and sorrow a degree of moral and political depravity which has no parallel in our history; and we are thus admonished that the utmost vigilance is now required on the part of those by whose votes and arms the nation was saved, in order to secure the fruits of their victory—justice with peace, and liberty with union.

On August 28th the President left Washington for Chicago, to be present at the laying of the corner-stone of a monument to be erected to the memory of the late Stephen A. Douglas. He was accompanied by Secretaries Seward, Welles, Postmaster-General Randall, General Grant, Admiral Farragut, Rear-Admiral Radford, Senator Patterson, M. Romero, Mexican minister, and others of less distinction. The first night was passed in Philadelphia, the second in New York, and Chicago was reached in the evening of September 5th. Immense crowds were present in the cities and towns through which the President passed, and his popular reception was highly flattering. At all important places where the company tarried addresses were made to the President, to which he responded, and often some other members of the party. He entered very fully into a discussion of the leading measures of his administration and of the diffi-

culties arising from the action of Congress, often using severe and bitter denunciations. The ceremonies at Chicago took place on September 6th, when an address was delivered by General John A. Dix. The party in a measure now broke up, and the President returned rapidly to Washington by the way of Springfield, Ill., and St. Louis, Mo. In a political aspect the excursion was quite unfavorable to the President.

Meanwhile the Southern Unionist Convention assembled at Philadelphia on September 1st. This convention was a movement in opposition to the one of August 14th. It was asserted that it would represent the sentiments of men who had been Unionists in the Southern States through the war; while those present from the Southern States in the August 14th convention represented the sentiments only of such as had been in arms against the Government. The mass of the delegates were from the border States, and a very few from those farther South. The convention was organized by the appointment of ex-Attorney-General Speed as president. Delegates appointed by the Governors of several of the Northern States were also present, "not to sit in the convention, but to cheer and cooperate" with the members. In Connecticut the Republican State Committee resolved to send forty delegates. Governor Oglesby, of Illinois, requested the two Senators from that State to act as delegates; Governor Fenton requested the same of the two New York Senators; large delegations were also sent from each of these two States. Indiana, Maine, Massachusetts, New Jersey, and Ohio, were represented by considerable numbers. In the proceedings the Southern Unionists sympathized with the extreme members of Congress in favor of negro suffrage. This finally produced a division; and the Northern representatives, not being disposed to take that advanced position, withdrew from all ostensible connection with the convention. At the same time the delegates from the border States, being in a considerable majority, adopted an address and resolutions, which were quite unsatisfactory to the representatives of the more extreme Southern States. An adjournment was then proposed by the majority, amid great opposition from the minority. The difficulty was arranged by leaving the minority to meet on the next day and adopt an address and resolutions agreeable to their views. The following is an extract from the series of resolutions first adopted:

3. *Resolved*, That the unhappy policy pursued by Andrew Johnson, President of the United States, in its effects upon the loyal people of the South, is unjust, oppressive, and intolerable; and accordingly, however ardently we desire to see our respective States once more represented in the Congress of the nation, we would deplore their restoration on the inadequate conditions prescribed by the President, as tending not to abate, but only to magnify the perils and sorrows of our condition.

4. *Resolved*, That with pride in the patriotism of the Congress, with gratitude for the fearless and persistent support they have given to the cause of lov-



alty, and their efforts to restore all the States to their former condition as States in the American Union, we will stand by the positions taken by them, and use all means consistent with a peaceful and lawful course to secure the ratification of the amendments to the Constitution of the United States, as proposed by the Congress at its recent session, and regret that the Congress in its wisdom did not provide by law for the greater security of the loyal people in the States not yet admitted to representation.

5. *Resolved*, That the political power of the Government of the United States in the administration of public affairs is by its Constitution confided to the popular or law-making department of the Government.

6. *Resolved*, That the political situation of the States lately in rebellion to the United States Government and the rights of the people of such States are political questions, and are, therefore, clearly within the control of Congress, to the exclusion of the independent action of any and every other department of the Government.

The following is an extract from the close of the address adopted by the minority on the ensuing day:

We affirm that the loyalists of the South look to Congress with affectionate gratitude and confidence as the only means to save us from persecution, exile, and death itself. And we also declare that there can be no security for us or our children, there can be no safety for the country against the fell spirit of slavery, now organized in the form of serfdom, unless the Government, by national and appropriate legislation, enforced by national authority, shall confer on every citizen in the States we represent the American birthright of impartial suffrage and equality before the law. This is the one all-sufficient remedy. This is our great need and pressing necessity. This is the only policy which will destroy sectionalism, by bringing into effective power a prepondering force on the side of loyalty. It will lead to an enduring pacification, because based on the eternal principles of justice. It is a policy which will finally regenerate the South itself, because it will introduce and establish there a divine principle of moral politics which, under God's blessing, will, in elevating humanity, absorb and purify the unchristian hate and selfish passions of men. It will bless those who give as well as those who receive. It will be the crowning act of glory to our free Republic, and when done will be received, as was the act of emancipation, with joy and praise throughout the world as the final realization of the promises of the Declaration of American Independence.

H. C. WARMOTH, of Louisiana, Chairman.

C. G. BAYLOR, of Georgia.

D. H. BINGHAM, of Alabama.

A. W. TOURGEE, of North Carolina.

R. O. SIDNEY, of Mississippi.

JAMES H. BELL, of Texas.

JOHN HAUXHURST, of Virginia—Committee.

A committee was appointed, prior to the withdrawal of the border State delegates, to present a copy of the proceedings of the Convention to Congress. A delegation was also appointed to follow the route taken by the President in his recent tour, and address the people of the various towns; meeting together on October 1st at Chicago; thence to proceed to the tomb of Abraham Lincoln, at Springfield.

On August 19th an address, signed by prominent officers of the army in Washington, was issued to the soldiers and sailors who served in the late war, and who approved of the resto-

ration policy of the President, and the principles of the convention in Philadelphia, on August 14th, inviting them to meet in convention at Cleveland, Ohio, on September 17th, "for consultation on the momentous issues convulsing the country." This convention assembled in large numbers on the 17th, and was organized with Major-General Gordon Granger as president. An address and resolutions were adopted of the same general character with those of the Philadelphia convention. During the session of the convention the following dispatch was received and read:

MEMPHIS, September 17, 1866.

*To the President of the Soldiers' and Sailors' Convention, Cleveland, Ohio:*

The soldiers of the late Confederate army met here to-day, and deputed the undersigned to congratulate your convention on its efforts to restore peace and quietude to the country, and to express their deep sympathy with your patriotic purpose; and further to assure you that the Confederate soldiers are entirely willing to leave the determination of their rights as citizens of the States, and of the United States, to the soldiers of the Union. On our part we pledge security of life, person, and property, and freedom of speech and opinion to all. A mass meeting will be held here to-morrow night to give formal expression to these purposes and sentiments.

(Signed)

R. CHALMERS,  
L. J. DEEPSIC,  
N. B. FORREST,  
LEON TRUESDALE,  
M. C. GALLOWAY,  
J. JORDON,  
M. GORDON,  
J. HARVEY,  
M. JONES.

The following reply, after having been approved by the convention, was made to the above dispatch:

CLEVELAND, OHIO, September 18, 1866.

*To N. B. Forrest, J. Jordon, and others, Memphis:*

The National Union Convention of Soldiers and Sailors assembled here are profoundly grateful for the patriotic sentiments expressed in your dispatch.

We hail with pleasure every effort to restore peace, prosperity, and brotherly affection throughout our entire country. War has its victories, but peace and union are blessings for which we will manfully contend, until harmony and justice are restored under the Constitution.

(Signed)

GORDON GRANGER,  
President of the Convention,  
G. A. CUSTER,  
J. B. STEADMAN,  
JOHN E. WOOL,  
THOMAS EWING, JR.,  
THOMAS CRITTENDEN,  
THOMAS E. BRAMLETTE.

The Convention of Southern Soldiers, mentioned above, as about to be convened at Memphis, met on the next day, and unanimously adopted the following resolutions:

*Whereas*, a convention of the Union Soldiers and Sailors, now in session in the city of Cleveland, Ohio, having under consideration the best mode in which to restore the Union of these States, and to cement that bond of fraternal friendship so sundered by the late war; and

*Whereas*, we, the soldiers of the late army of the Confederate States, feeling and being in sympathy with the movement of our late adversaries to restore



our country to its former state of peace, happiness, and prosperity; and

*Whereas*, we believe that our stern advocacy of the principles for which we conscientiously struggled during a period of four years will be rather a recommendation of our sincerity and honorable purposes to the brave soldiers of the Union; therefore,

*Resolved*, That we have seen with pleasure the movements made by the soldiers and sailors of the Union, for the preservation of which they have so long fought; and that we have no fears that wrong or injustice will be done to us by those we have learned on the battle-field to respect as "foemen worthy of our steel."

*Resolved*, That we tender to them a soldier's pledge of our fidelity to the Government, of our assistance in the maintenance of law and order, and our earnest desire for the return of that day when the American people can say with truth they "know no North, no South, no East, and no West."

*Resolved*, That the charge that the life, liberty, or property of Northern men is unsafe or unprotected in the South is a slander which could only have emanated from the cowardly fears of "fireside heroes," or from the corrupt machinations of reckless office-holders, grown desperate at the approach of retributive justice, and the loss of power and place.

On September 25th a convention of soldiers and sailors who sustained the measures adopted by Congress for the restoration of the Union, assembled at Pittsburg, Pa., and organized by the election of Major-General J. D. Cox, of Ohio, as president. A wigwam had been constructed for the occasion, and the attendance was large. A series of resolutions was reported by Major-General B. F. Butler, and adopted unanimously. The following are two of the series:

*Resolved*, That the President, as an executive officer, has no right to a policy as against the legislative department of the Government. That his attempt to fasten his scheme of reconstruction upon the country is as dangerous as it is unwise; his acts in sustaining it have retarded the restoration of peace and unity; they have converted conquered rebels into impudent claimants to rights which they have forfeited, and places which they have desecrated. If consummated it would render the sacrifices of the nation useless, the loss of the lives of our buried comrades vain, and the war in which we have so gloriously triumphed, what his present friends at Chicago, in 1864, declared it to be, a failure.

*Resolved*, That the right of the conqueror to legislate for the conquered has been recognized by the public law of all civilized nations. By the operation of that law for the conservation of the good of the whole country, Congress had the undoubted right to establish measures for the conduct of the revolted States, and to pass all acts of legislation that are necessary for the complete restoration of the Union.

A convention of working-men was assembled at Baltimore, on August 21st, to consult upon measures suitable to promote the interests of working-men. An important object was to make eight hours the length of a day's labor. The disposal of the public lands, and foreign pauper labor and convict labor, were also subjects of discussion.

The State elections, which were held in the months of September, October, and November, resulted in favor of the Republicans, by increased majorities, as will be seen by reference to the States respectively.

The financial condition of the Government, its system of taxation and revenue, are presented under the title FINANCES, etc.; the foreign relations under DIPLOMATIC INTERCOURSE, etc. (*See also* COMMERCE, CONGRESS, ARMY, NAVY, and the Southern States respectively.) During the year the Constitutional Amendment, known as article 14, was ratified by Connecticut, New Hampshire, Rhode Island, Tennessee, New Jersey, Oregon, and Vermont. In January, 1867, it was brought before the Legislatures of several other States.

**UNIVERSALISTS.** The General Convention of the Universalists of the United States met at Galesburg, Illinois, on the 18th of September. A larger attendance had been anticipated at this Convention than at any previous one; but these anticipations were not realized. The total number of ministers present was sixty-six. The assembly organized by electing the Hon. Sidney Perham, Member of Congress from Maine, President. The trustees of the missionary fund reported that, of the \$100,000 which last year's Convention had resolved to raise, about \$17,000 had been raised, nearly all by subscription and in the State of New York. A resolution to extend to the Unitarians cordial sympathy in their efforts to promote the spread of liberal Christianity in our country, and to express the willingness of the Universalists to coöperate with Unitarians, in all practical ways, for the Christianizing of the world, was adopted by a large majority. The Convention also unanimously adopted a series of resolutions on the state of the country, deeply regretting "the manifest sympathy of purpose" existing between President Andrew Johnson and the late Confederates, deploring "the reproach which has been cast upon the people of this land by the disgraceful personal conduct of the President," commending the policy of Congress, but earnestly protesting "against any final reconstruction which fails to do the amplest justice to all the loyal defenders of the country," and declaring that "no policy can meet the approval of the Universalist denomination, which does not embrace impartial suffrage." It was also resolved that the council was in hearty sympathy with all organizations whose object it may be to promote the cause of temperance.

The Boston *Universalist* makes a statement of the work done by this denomination during the past year. The result is regarded by the *Universalist* as satisfactory. "The denomination," it says, "has done more during the year 1866 than in any year; we may, perhaps, say any decade of years before. For educational institutions, in the form of bequests, we have raised \$300,000, and by subscription and donations, \$272,000. For missionary funds, etc., \$33,000. For church edifices dedicated during the year, \$435,000. Total, \$1,040,000, or in round numbers, \$1,000,000, as the year's addition to the permanent resources of the denomination. The transient contributions for the year, or annual expenditures, are estimated as



follows: ministers' salaries, \$287,000; incidental church expenses, \$140,000; periodicals, \$90,000; Sunday-school and other denominational books, \$40,000; salaries of teachers in our schools and colleges, \$53,000; incidental expenses of the same, \$15,000. Total, \$625,000. Added to the above, this sum makes \$1,665,000—over one million and a half paid or contributed for Universalism during the year just closed."

URUGUAY ("The Oriental Republic of Uruguay"), a republic in South America. Provisional President, since November, 1865, Venancio Flores. Area, 73,538 square miles; population, in 1860, according to the official census, 250,965; in 1864, according to a circular from the Minister of the Interior, 350,000; among whom

were 150,000 foreigners. The army was composed, in 1864, as follows: garrison of the capital, 1,300; garrisons in the provinces, 1,500; national guard, 20,000. The contingent furnished by Uruguay in the war against Paraguay was stated to be 3,500. The exports to the chief foreign countries were, in 1865, valued as follows: United States, \$11,777,241; France, \$3,781,686; Great Britain, \$3,091,639; Spain, \$971,538; Italy, \$1,016,660; Brazil, \$799,538. The active participation of Uruguay in the war against Paraguay ceased in the latter part of the year, as the government was unable to make up for the losses suffered during the war. The election of a President was postponed to 1867.

## V

VAN BUREN, JOHN, an American lawyer and politician, born at Hudson, N. Y., February, 1810; died on the Scotia, on her passage between Liverpool and New York, October 13, 1866. He was the second son of President Martin Van Buren; graduated at Yale College in 1828, studied law with Benjamin F. Butler at Albany, and the Hon. Aaron Vanderpool at Kinderhook, and was admitted to the bar in 1830. Though an able lawyer and an eloquent advocate, he was less distinguished at the bar than in political life. He was the attendant of his father at the court of St. James, England, in 1832, and in 1845 was elected Attorney-General of New York. At the conclusion of his term of office in January, 1847, he settled in New York, and devoted himself for the most part to the duties of his profession, seldom accepting of any office, though occasionally taking an active part in State canvasses. During the presidential campaign of 1848 he distinguished himself as a popular advocate of the Free-Soil party, and of the exclusion of slavery from the Federal territories. He did not, however, adhere to the principles which were subsequently developed by that party, but during the latter years of his life acted with the Democracy, often taking an active part in the political canvass. In May, 1866, he left New York for a European tour, travelling extensively during the summer in Sweden, Norway, and Russia, and spending a few weeks, previous to his embarkation for home, in the Highlands of Scotland, and it was not until about a fortnight before his death that his health gave signs of failure.

As an advocate he exerted a powerful influence, carrying the jury with him almost irresistibly. He was always an eloquent and interesting speaker, genial and agreeable in society, and possessed of fine social qualities. He had very little ambition for preferment, and, while more than once almost any position in the gift of the people of his State was at his command,

he not only did not seek but generally refused office.

VENEZUELA, a republic in South America. President, Marshal Juan Crisostomo Falcon, since March 18, 1865. Area, 426,712 square miles; population, in 1858, about 1,565,000 inhabitants. The public debt amounted, in 1849, to \$22,865,620; the revenue, in 1852, was \$8,248,031; and the expenditure only \$2,705,055. The number of entrances and clearances in the ports of the republic was, in 1854, 1,158, with an aggregate burden of 172,055 lasts.

VERMONT. This inland State presents less change than any other in the Union during successive years. Nearly stationary in population, its wealth slowly increases.

A Republican convention assembled at Montpelier, June 20th, to nominate candidates for officers in the State government.

Paul Dillingham was nominated for Governor, A. B. Gardner for Lieutenant-Governor, and John A. Page for Treasurer.

The committee on resolutions then reported the following, which were adopted:

1. That justice to all, as well as the commonest considerations of prudence and security, demand that no scheme of restoration of the rebel States and people should be tolerated, which does not by legislative enactment or constitutional amendment place the powers of the Government beyond contingency in the control of the loyal people of the States, and secure the Government against disloyal control or check.

2. That, while approving the constitutional amendment lately proposed by Congress as a present practical measure toward securing just ends, we yet insist that every scheme of restoration is imperfect that is not based upon equal and exact justice to all, and the equal rights, personal, civil, and practical, of all loyal citizens, irrespective of color or race; that we desire the speedy restoration of the seceding States to all their functions as States in our reconstructed and purified Union—the sooner the better, so it be done severally and justly upon the basis of an assured loyalty of the people and the equal rights of all; but we insist that the loyal should be backed by a loyal constituency; that, as our institutions were saved by the loyal, to them belong their re-



modelling and future preservation, and that loyalty should not be made odious by placing it upon a level with treason in the rewards and trusts of the Government; that all honor and thanks are due to the soldiers of the country who rushed to its defence when assailed by conspiracy and armed treason, and by their heroism saved the life of the nation, and to maintain a republic purified and regenerated—a service which should not be forgotten.

The following resolution was also adopted:

*Resolved*, That, while we hope and believe the amendment to the Constitution just proposed by Congress will advance the nation in its progress toward impartial suffrage and equal rights for all, we do not yet count the victory won; but, coöperating with the great party of liberty and progress throughout the country, we mean to fight the battle through with every refuge of caste and oppression, until every form of aristocracy and oligarchy, and every citadel of the undemocratic and barbarous slave civilization, is overthrown, and the nation becomes one great, homogeneous, free people, loving liberty, and building its future upon the rock of exact justice to all men in the distribution of official honors and emoluments.

The convention was well attended and harmonious in all its proceedings.

The Democratic State Convention met June 29th, and made the following nominations: for Governor, Charles N. Davenport; for Lieutenant-Governor, Charles D. Lindsley; for Treasurer, L. H. Noyes. The following resolutions were adopted:

*Resolved*, That we express renewed confidence in the Democratic party and its principles, and pledge to them the honest devotion of men who feel the inestimable blessings which they have conferred upon the country, and the woes from which they would have saved it if its principles had not been departed from.

*Resolved*, That the paramount issue now is, whether a hypocritical faction, accidentally in power, shall be successful in depriving eleven States of their places in the Union, contrary to their constitutional rights, and against the efforts of the President, for the purpose of perpetuating their party power.

*Resolved*, That as Democrats now, as in the past, we are in favor of the whole Union, and that we will never relax our efforts to perpetuate it as its founders made it; and for the efforts in this behalf of Andrew Johnson, rising above and beyond party, we tender to him our appreciation and approval and our fervent gratitude.

*Resolved*, That it is the duty of the President to execute the laws, and that it is dishonest and hypocritical to censure the President for executing the neutrality laws, when the party which censures him has the power to repeal them, and does not exercise it.

*Resolved*, That all property should bear its proportion of the burdens of taxation, and we are opposed to exempting the bonds and other evidences of indebtedness of the United States from taxation.

*Resolved*, That we appreciate the valuable services of the soldiers of our armies in suppressing the late rebellion, and tender to them our gratitude for the faithfulness and bravery with which they have fought the battles of our country, and that we are in favor of their receiving offices of trust, emolument, and profit, at the hands of the people and Government.

The Legislature met October 11th, and continued in session till November 19th. The legislation was chiefly of a local character, and possesses no general interest. An act was passed establishing a State normal school, to

be controlled by the Board of Education. Another act increases the pay of the members of the Legislature from two dollars to three dollars per day. Deserters from the military or naval service of the United States were disfranchised. An act was also passed providing for the registration of voters in all election districts, and another for the preservation of fish in the waters of the State.

The Legislature changed the distribution of the school-funds, by which one-third, instead of one-fourth, as heretofore, will be divided equally between the common-school districts, and the remainder in proportion to the average daily attendance of scholars. A law was passed allowing parties in court to testify in their own behalf. An act was passed limiting the liability of the State banks (now closing under the operation of the national law) for the redemption of their currency to the period of one year, commencing from the publication of due notice, which publication must continue through the year. The salaries of the judges of the Supreme Court were increased by \$500, making them \$2,500.

The following resolutions relating to impartial suffrage were adopted:

*Resolved by the Senate and House of Representatives*, That laws ought to be in force in all of the United States, guaranteeing equal and impartial suffrage, without respect to color.

*Resolved*, That it is the duty of Congress to pass laws giving this right in all places where it can be done constitutionally.

*Resolved*, That we hereby request our Senators and Representatives in Congress to use their influence for the passage of a law, giving equal and impartial suffrage in the District of Columbia as early as possible at the next session of Congress.

The finances of the State are in an easy condition. The total receipts into the treasury during the fiscal year ending September 10th, including the balance of the previous year, were \$996,558.49. The disbursements for the same period were \$967,981.82. The liabilities of the State are as follows:

State bonds outstanding, due June 1, 1871.....	\$875,500
“ “ “ due December 1, 1874..	250,000
“ “ “ due December 1, 1876..	250,000
“ “ “ due December 1, 1878..	250,000

The current liabilities amount to \$63,340.19, and the current resources to \$35,554.23. The estimated current expenses are:

Interest on bonds and loans.....	\$96,000 00
Other State expenses.....	170,000 00
For sinking fund — instalment on bonds.....	150,000 00
	<hr/> \$416,000 00

Total current liabilities for the year..... \$443,785 00

Each year \$150,000 are applied as a sinking fund to lessen the funded debt in advance of its maturity.

The State agent for the distribution of aid to soldiers' families, from September 1, 1865, to April 15, disbursed \$582.18, having satisfied all outstanding claims. The original numbers that composed the different Vermont organizations for the war, were:



Officers .....	702
Enlisted men.....	17,828
	<hr/> 18,530

## GAIN.

Appointed commissioned officers.....	53
Enlisted men.....	10,379
	<hr/> 10,437

Aggregate number.....	28,967
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## LOSS.

By promotions to U. S. A.....	143
Transfers to other organizations.....	1,136
Total by death.....	5,123
Total by discharge.....	5,022
Deserted.....	2,219
Dropped from rolls.....	5
Not finally accounted for.....	75
	<hr/> 13,723

Mustered out of service, in all.....	15,239
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Aggregate .....	28,967
Veterans reënlisted .....	1,961
Enlisted in the United States Navy, Army, and Marine Corps.....	1,339
Drafted men paid commutation.....	1,971
	<hr/> 34,238

Total number of men furnished by the State..... 34,238

Under the act of November 9, 1865, a Re-form School has been established at Waterbury for the correction of juvenile delinquents. Hitherto there has been no institution of the kind in the State. Suitable buildings for the school, with sixty-seven acres of land, have been purchased. Quite a number of scholars have already been received, and the school gives good promise of accomplishing all that is expected from such an institution.

A "Home for Destitute Children" has also been established at Burlington, by private charity, which has commenced operations, and will probably be liberally sustained.

At the election for Governor in September, 45,412 votes were cast, of which Paul Dillingham, Republican, received 34,117. Three Republican members of Congress were also chosen. The Legislature is divided as follows:

	Senate.	House.
Republicans .....	30	224
Democrats .....	0	13

**VIRGINIA.** The message of Governor Peirpont to the Legislature in December, 1866, is a long document, and treats nearly all the local and Federal questions of interest very fully. With regard to labor and immigration he expressed the following views:

The subject of labor is attracting great attention in the State. We must first depend upon the native labor now in the State, white and colored. This is to be encouraged by the repeal of oppressive laws, by the encouragement of common schools, and by fair wages and kind treatment. The colored man has great odds against him. In many instances he is paid less wages than the white man in the same field, and required to do the same amount of work. If he does not, he is denounced as worthless; he has the theories of politicians and the dogmas of divines against him; the one class maintaining that the true theory of the organization of society is, that capital should own labor; and the other, proving to their own satisfaction, from the sacred record, that God in his wisdom made the negro for a slave—that he is the laborer to be owned and worked for his own amelioration and advancement, and the general good

of the few who should own slaves. Men are attached to their theories—by these kings rule by divine right. The negro has to progress, if progress he shall, against theories. In some sections of the State he has done well this year. He ought to have a fair chance; and it may be, when he shall have as many inducements to work as the white man, he will work. There are few who toil all day but cast a wistful eye at the setting sun. The negro should be tried hopefully; and I am pleased to find that a large number of the best men of the State are willing to encourage the freedman to work, and give him a fair chance, as regards wages and education.

Great efforts are being made to induce the Legislature to appropriate money to immigration societies. I do not think that it would be good policy to make these appropriations, nor would I favor any organization to which the State shall be a party, where money is to be paid out of the public treasury in proportion to the number of immigrants imported. It will certainly lead to filling the State with a pauper population. The inducement for the better class of immigration must be left, to a great extent, to individual enterprise. Last winter the Legislature authorized the appointment of three commissioners of immigration. They have been appointed, and the board is organized. It is believed that this board may be made the channel through which individuals may procure tenants, laborers, and purchasers for their lands. But it will require active coöperation on the part of individuals to effect this object. In the office of the board will be kept a faithful registry of all the lands in the State offered for sale, on the prescribed conditions. Parties in the State, desiring purchasers through this channel, should have their lands carefully laid off with plats, showing the amount of land in each lot proposed to be sold, designating the county in which it is located, its distance from the county seat, proximity to railroads or navigable water-courses, and the distance from the nearest general market; the amount and quality of timber, the amount of cleared land, the character and productiveness of the soil, and whether best fitted for agriculture, horticulture, or grazing; and the price per acre at which it is offered. In all cases the title should be unencumbered, and a certificate of the clerk of the county court to that effect should be produced, with a certificate of the county surveyor, as to the reasonableness of the price compared with other lands in the same section, and the truthfulness of the description. These descriptions should be recorded in the books kept by the commissioners, and printed from time to time in the languages of the countries in which they are designed to be used.

The Governor urged, by elaborate arguments, the adoption of the Constitutional Amendment as a measure not involving dishonor to the people of the State, but one which would greatly improve their condition.

The State militia is reported to comprise 136 regiments of the line, of which number 107 have been organized, and the others are in process of organization.

The public debt, with the interest funded, amounted on the 1st of January, 1867, to \$43,333,679.27. Deduct from this the amount held by the sinking and literary funds, and there remains as a balance for which interest is to be paid, \$41,005,997.67. The estimated income to the State treasury for the fiscal year ending September 30, 1867, is \$1,228,679.30, to which should be added the amount on hand October 1, 1866, \$334,607.56, making a total of \$1,563,286.86. The estimated expense of carrying on the government of the State for



the ensuing fiscal year is \$510,000, which would leave a balance in the treasury of \$1,053,286.86 on the 1st of October, 1867. In the estimate of expenses are included an appropriation to supply artificial limbs to disabled soldiers, the balance due on the statues for the Washington monument, and appropriations for the benevolent and penal institutions of the State. The Governor attaches no value, for revenue purposes, to the stock held by the State in the James River Canal, turnpike, and bridges, and in railroads commenced but not completed. The State owns about \$15,000,000 in stocks and bonds of railroads in active operation. He thinks that, with prudent management, these roads ought to yield dividends, which in a few years would suffice to pay the interest on that amount of the public debt; but he advises the sale of stocks and bonds of the Virginia and Tennessee, the Southside, Norfolk, and Petersburg, the Richmond and Danville, and York River roads, and the Orange and Alexandria, and Virginia Central roads.

The literary fund of the State amounts to \$1,618,057.05. It is all invested in old James River stock, old military six per cents., bank loan of 1814, loan to the Commonwealth, and internal improvement loan, none of which are dividend-paying. Up to 1861, between \$200,000 and \$300,000 were invested in bank stocks, which yielded a dividend; of the remainder, the payment was indorsed by the State, and the people were taxed for it. At the present time, in the language of the Governor, the "literary fund is a myth;" and he takes the opportunity in his message to recommend taxation for the support of common schools, which benefit the masses of the people, instead of colleges, which are intended for the few.

Some progress was made in the education of freedmen during the year. Considerable sums of money were raised by benevolent societies in the North, and schools for teaching the freedmen were opened in Richmond and other parts of the State, and are reported to be in successful operation. The Soldiers' Aid Society of the North has founded in Richmond schools for white children, at which three hundred are now taught, without charge.

At the session of the Legislature in March, 1866, a law was passed staying the collection of debts for a limited period. The reasons why the passage of such an enactment was regarded as necessary were set forth in the following preamble:

*Whereas*, The war which has been recently waged for several years in the State of Virginia, in its progress and results swept out of existence the property in slaves, which constituted a very large proportion of the wealth of the people, as well as a very large amount of other personal property, and, at the same time, annihilated the only currency which had circulated for over three years, together with the stocks and securities growing out of the war, in which the people had made large investments, and either destroyed or greatly impaired the value of all other stocks and securities, so that but little is now left to the people,

except their lands, which, for want of efficient labor, and, in many large districts, for want of stock, implements, horses, and buildings, cannot be successfully cultivated, and, as a consequence of this condition of things, there exists an unprecedented scarcity of money among the people of the State; and whereas, it cannot be questioned that this state of general embarrassment and distress presents the strongest appeal for legislative interference to prevent the unjust and ruinous sacrifice of property that would inevitably result from forced sales under such circumstances; and while this General Assembly recognize their imperative duty to respect and obey the constitutional provisions which prohibit the enactment of any law impairing the obligations of contracts, they believe that, when construed with reference to the objects of those provisions, and in the light of principles recognized and acted upon by the courts of justice at the time of the adoption of the Constitution of the United States, as well as before and since that time, those provisions do not forbid them from granting a temporary suspension of remedies, in such a state of things as the present, in order to prevent the cruel and ruinous results which would ensue without such interposition, and especially as it only requires that creditors, while their right to ultimate payment is held inviolate, shall submit to a course to which they might well be constrained by the instincts of natural justice and humanity.

The law provided that up to the 1st day of January, 1868, no execution, *venditioni exponas* attachment upon a decree or order, or other process to compel the payment of money, or the sale of property, should be issued, or if issued should be proceeded with; nor should there be any sale under a deed of trust, mortgage, or other security; nor under any judgment, decree, or order. A case involving the constitutionality of this law came before Judge Meredith, of the Circuit Court of Richmond, in November, 1866, and he decided that the law was unconstitutional. The Governor, alluding to this subject in his annual message, said:

You cannot pass any law to impair the obligation of contracts. Devices have been resorted to in other States to shield property from sale by having valuations made, and forbidding the sale, unless the property should sell for one-half or two-thirds of the valuation. These laws have all been declared unconstitutional by the highest courts of the United States. All laws that have for their object the postponement of the collection of debts, are odious to creditors; and it is doubtful how far a law would be sustained by the courts, that exempted specified amounts of real and personal property from execution for debts contracted before the passage of the law; and there is danger in passing stay-laws that look to long postponements of executions, that they may be construed by the courts to come under the constitutional prohibition against impairing the obligation of contracts. I believe the Legislature has full power over the subject of priority of liens, and I think the great error in the law of last winter was, in failing to abolish the priority of judgment liens and placing all creditors upon an equal footing. The law, as it stands, has only provoked suits by the more importunate creditors. But we must now look to the future, and it strikes me that it would be wise, and perhaps the courts and creditors would concur in the measure, to direct the further stay of executions upon the payment by the debtor of the interest and twenty-five per centum of the principal within ninety days from the first day of January, 1868, and a like sum, with the interest, each ensuing year.

During the year a colony of twenty-five



Polish families settled in the county of Spotsylvania. The Legislature adopted resolutions declaring that this method of immigration (in the form of colonies) was worthy of support and encouragement.

The Federal Constitutional Amendment was rejected in the Senate unanimously, 27 votes being cast; and in the House by 74 to 1.

Much interest was felt in Virginia and elsewhere in the case of a Dr. Watson. He had been tried and acquitted by a Virginia court on the charge of murdering a negro in Rockbridge County in November, 1866. Notwithstanding this acquittal, General Schofield ordered him to be tried before a military commission, acting under authority of the act of Congress, passed July 16th of that year. On the assembling of the commission a writ of *habeas corpus* was sued out in behalf of Dr. Watson, to which General Schofield made the following return:

HEAD'QRS DEPARTMENT OF THE POTOMAC, }  
BUREAU OF R., F. AND A. LANDS, }  
RICHMOND, VA., Dec. 19, 1866. }

To the Hon. Circuit Court of the city of Richmond, Virginia, in session:

I have the honor to acknowledge the receipt, through the hands of James Lyons, Esq., of the writ of your honorable court, dated at the city of Richmond this 19th of December, 1866, commanding me to have the body of James L. Watson, now under my custody, before the judge of your honorable court on to-day at 2 o'clock P. M., together with the causes of his being taken and detained. To which I have the honor to respectfully answer as follows, to wit:

James L. Watson was arrested by my order on the — day of December instant, and is now held for trial by military commission, under authority of the act of Congress of July 16, 1866, which act directs and requires the President, through the commissioner and officers of the Freedmen's Bureau, to exercise military jurisdiction over all cases and questions concerning the free enjoyment of the right to have full and equal benefit of all laws and proceedings concerning personal liberty, personal security, etc., by all citizens, without respect to race or color, or previous condition of slavery, of the States whose constitutional relations to the Government of the United States have been discontinued by the rebellion, and have not been restored. The above-named act of Congress has been officially published to the army by the President, through the War Department, for the information and government of all concerned.

As an officer of the United States army, commanding the military department which includes the State of Virginia, and Assistant Commissioner of the Freedmen's Bureau for the same department, my duty requires me to decline compliance with the writ of your honorable court, and I do, therefore, respectfully decline to produce the body of the said James L. Watson.

I have the honor to be, very respectfully, your obedient servant,

J. M. SCHOFIELD,  
Brevet Major-General U. S. Army,  
and Assistant Commissioner.

In the mean time the U. S. Attorney-General had considered the case, and reported that, in his opinion, the military commission convened for the trial of Dr. Watson had no competent jurisdiction, and the President, thereupon, directed that the commission be dissolved and the prisoner discharged without delay.

The statistics collected by the Freedmen's

Bureau exhibited a marked diminution in the number of negroes in Virginia and in other border States, and an increase in certain of the cotton States. Upon this state of facts a Richmond paper commented as follows:

It denotes a loss of laborers which we cannot spare, as few, if any, white laborers have taken the place of the blacks who have disappeared. This exodus from the State has been more rapid since the emancipation of the slaves than it was during the war, and is ascribed to the temptation of higher wages than those paid by our farmers, which are offered in the Northern as well as in the Southern States. We very much fear that there is much truth in this opinion, and the history of Irish immigration since 1848 fully sustains the theory which professes to explain this disappearance of the black laborer.

When the famine and low wages of 1847-'48 gave the first great impetus to Irish immigrants to this country, an able-bodied laborer was usually paid for ploughing and spade work from fourpence to sixpence a day. These wages drove from Ireland from 1848 to 1864 nearly two millions of laborers and their families. But as the peasantry diminished, the rate of wages advanced, and now ordinary laborers' wages average about two shillings per day. In 1848 there were 310,000 "holdings" of less than five acres, while now there are less than 80,000 of such tenancies. The exodus of Irishmen was from a country where there were too many laborers to one where there were not enough. It was a flight from starvation and fourpence a day, to plenty and two dollars a day.

But the alleged exodus of negroes from Virginia is a loss of labor, where there is not half agricultural labor to properly cultivate our soil and develop the resources of the State. If there were a strong, healthy, vital current of white labor pouring into the State, we should find great cause for rejoicing in the disappearance of the negro. It would then be a beneficial change, and not depopulation. But if the negro is leaving Virginia to obtain higher wages elsewhere, the time is not distant when the Virginia agriculturist will be forced to pay far more for labor than he is now giving.

It is the misfortune rather than the fault of the Virginia agriculturist that he cannot offer higher wages to the negro. The want of capital, the exhausted condition of the State, and the unsettled state of the country, forbid that he should compete with the farmers of more prosperous States.

We can conceive of no class of men who would be more benefited by the restoration of the South to her political rights and privileges than the negroes. The pall of gloom and suffering which hangs over the South is the result of political influence and apprehensions affecting our persons and property. But the conditions which affect, and the circumstances of distress and uncertainty which surround us, growing out of Congressional action already taken or anticipated, act upon the negro more terribly than upon the whites at whom the blows are aimed.

A case, involving the constitutionality of the Civil Rights Bill, was decided adversely by Judge Thomas, of the Circuit Court, sitting in Alexandria. One of the parties offered to produce negro evidence, and the judge ruled that, inasmuch as the State laws of Virginia forbade the introduction of negro testimony in civil suits, to which white men alone were parties, the evidence of the negro was inadmissible, and that congressional legislation could not impair the right of the States to decide what classes of persons were competent to testify in her courts.



A Republican State Convention met in Alexandria in May, Hon. John M. Botts presiding, and adopted the following resolutions:

*Resolved*, That no reorganized State government of Virginia should be recognized by the Government of the United States which does not exclude from suffrage and holding office, at least for a term of years, all persons who have voluntarily given moral or material support to rebellion against the United States, and which does not, with such disfranchisement, provide for the immediate enfranchisement of all Union men, without distinction of color.

*Resolved*, That the doctrine of the right of secession was the principal issue of the late civil war, and that no policy of reconstruction is safe which does not provide against the possibility of that issue arising again.

*Resolved*, That while the late rebels affect to accept the situation, they not only hold the same opinion still in regard to that issue, but openly advocate their views in that respect as the basis of party action in the future, as we believe, for the purpose of accomplishing with votes what they have failed to accomplish with bayonets.

*Resolved*, That the Union Republican party of Virginia, believing that "knowledge is power," and that an enlightened and virtuous people can never be enslaved, and that the maintenance and perpetuation of republican institutions depend materially upon the education of the masses of the people, therefore we are in favor of a system of free schools, whereby universal education may be disseminated.

With regard to the legal status of the Virginia Legislature, a special committee reported the following resolutions:

Therefore, inasmuch as the present so-called State Legislature, now elected and assembled together under authority from a body which met in June last in Richmond, and which assumed to be the Legislature of Virginia, but which really consisted of not more than twenty members; and inasmuch as it is further a notorious fact that many of the members of the present so-called Legislature have held military and civil offices under the so-called Confederate and State governments, in rebellion against the United States, among whom we may cite the present Speaker of the so-called Legislature; and inasmuch as the members of the so-called Legislature have not taken the oath required by the said constitution; now, therefore, be it

*Resolved*, That we declare the body which assumed to be the Legislature of the State an illegal and unconstitutional body, elected, assembled, and organized contrary to the law and constitution of the State; and that all acts, and parts of acts, resolutions, appointments, and other proceedings assumed to be passed by them, ought to be regarded as null and void.

A petition, as follows, was subsequently circulated through the State:

*To the Senate and House of Representatives of the United States:*

The undersigned, citizens of the State of Virginia, loyal to the Federal Government, and cordially indorsing the action of Congress in refusing admittance to those claiming to represent this State in the national councils, respectfully petition immediate action on the part of your honorable bodies, to give that protection to the Union men and the Union interests of this State which justice and policy alike demand, and which Congress alone can provide for. They respectfully state that they are actuated by an earnest desire to see the Government reconstructed as early as possible upon a loyal and permanent basis; that they are influenced by no spirit of revenge or hostility, when they solemnly declare that their dearest rights and liberties are in the hands of

those against whom they were arrayed in the late unfortunate strife, and whose feelings are too violent and vindictive to accord them those rights prescribed by their own pretended laws.

They further represent that the executive, legislative, and judicial branches of the Government, with a few honorable exceptions, are in the hands of those who were false to the Government in the late struggle for its life; that the judges appointed by the executive are, without exception, composed of those who were notorious in their support of the rebellion. The executive, in appointments consisting of directors of public institutions, railroads, adjutant-generals, inspectors, officers of the State militia, etc., has, so far as we know, selected none save those who have been consistently disloyal. The Legislature has, in all its actions, manifested its injustice toward Union men.

For these, and many other reasons, they request the revocation of the power hitherto exercised by Governor Peirpont; that a provisional Governor be appointed to reconstruct the government upon a loyal foundation, and that Congress grant such other relief as may seem fit.

They further request that the Hon. John C. Underwood, the faithful patriot and distinguished jurist, who has always adhered to the Government with a fidelity which no flattery could seduce, no bribery corrupt, nor fears intimidate, be selected as said provisional Governor.

Appended is a statement of the exports and imports of the port of Richmond for the year ending December 31, 1866:

	Value.
Exports of domestic produce.....	\$1,530,099
Imports of foreign merchandise.....	35,309
Imports free of duty.....	2,006

ENTRANCES AND CLEARANCES.	Vessels.	Tonnage.	Men.
Tonnage of foreign vessels entered.....	23	7,846	252
Tonnage of foreign vessels cleared.....	28	9,964	308
Tonnage of American vessels cleared.....	2	644	18
Tonnage of vessels in coasting trade entered.....	946	495,058	18,523
Tonnage of vessels in coasting trade cleared.....	886	484,145	18,081

IMPORTS.	Value.
578 tons of coal.....	\$1,791
23,929 sacks salt.....	20,977
Dry goods.....	1,633
Earthenware.....	4,719
Other goods.....	6,189

\$53,309

EXPORTS.	Value.
Liverpool, 700 barrels flour.....	\$7,000
" 1,854 bales cotton.....	288,374
" 716 hogsheads leaf.....	207,615
" 153 boxes manufactured.....	1,281
Bremen, 563 hogsheads stems.....	30,067
" 1,033 hogsheads leaf.....	135,255
Havre, 830 " ".....	207,500
Bordeaux, 700 " ".....	175,000
Halifax, 76 " ".....	9,574
" 2,733 barrels flour.....	20,919
Venice, 619 hogsheads leaf.....	178,301
Brazil, 17,541 barrels flour.....	128,326
Austria, 160 hogsheads leaf.....	38,075
Other ports.....	102,812

\$1,530,099

Goods in warehouse December 21, 1866—value, \$25,982.85; duty assessed, \$14,525.56.

VIRGINIA, WEST. An amendment to the constitution of this State, which provided that no person who, subsequent to June, 1861, had



given voluntary aid to the late Southern Confederacy, should be a citizen of the State, or permitted to vote at any election therein, was submitted to the voters for ratification or rejection at the election for township officers on the 24th of May. The Republican State Committee, in their address to the people, said: "We look only to the adoption of such a policy as will certainly secure to us the legitimate results of the dearly-bought victory by which at the last loyalty triumphed over treason on the field of battle." The total vote given was 39,457. The majority for the ratification of the amendment was 7,217. In October an election was held for Governor, at which the total vote given was 40,960, of which the Republican candidate for Governor received 23,802, and the opposition candidate 17,158. Republican majority, 6,644. The successful candidate was Governor Arthur J. Boreman, who was thus reelected. Three Republican members of Congress were also elected, which was a gain of two. The Legislature of the State is politically divided as follows:

	Senate.	House.
Republicans.....	18	45
Democrats.....	4	11
	—	—
Republican majority...	14	34

A large proportion of the population in the southern counties of the State have, by the Constitutional Amendment, been denied every civil and political right. They are excluded from the courts either as suitors or attorneys. The Governor, in his address to the Legislature at the close of the year, commended the increasing prosperity of the State, and recommended the repeal of the usury laws, as repelling capital and enterprise. The revenue reports exhibited a gratifying financial state. Personal property increased over twenty-five per cent. The new valuation of real estate shows a very great increase over the old. The Governor recommended energetic prosecution of the work on the Insane Asylum and Penitentiary. He said the report on free schools shows gratifying progress in the work of education, and he urged the most liberal legislation in support of the schools, and the provision for the Agricultural College endowed by Congress. He advised the Legislature to provide for a speedy geological survey of the State, and to encourage immigration. The message concludes with an argument in favor of ratifying the amendment to the Constitution of the United States, as it was the absolute duty of Congress to take control of the Southern States after the war, and, under the circumstances, the terms of restoration proposed were not vindictive or unkind, much less unjust. In his opinion, a greater magnanimity was never shown under like circumstances.

The amendment to the Federal Constitution, article 14, was passed in the Senate by 15 to 3, and in the House by 43 to 11.

VON DER DECKEN, Baron CHARLES CLAUS, a celebrated German explorer, born at Kotzen, Brandenburg, in 1833; killed by the natives while ascending the River Juba, in Africa, October 1, 1865. He belonged to a family of high rank, his father, Ernest Von der Decken, being one of the brave German legion in the British service at the battle of Waterloo, and afterward holding some important positions at the court of Hanover. The son received a good education, and early evinced a strong desire to travel. Having joined the cadet corps at the age of sixteen, he entered the Hanoverian army the following year as a lieutenant in the Queen's Hussars. He availed himself of his leave of absence to travel through Europe, and in 1858 made his first endeavor to penetrate into Africa, but was prevented from crossing the desert by an attack of fever, which compelled him to return. In 1860 he quitted the army, and soon after embarked at Hamburg for Zanzibar, with the intention of joining his countryman Dr. Roscher, in an attempt to reach the great Nyassa Lake. The murder of Dr. Roscher compelled him to choose another line of research, but the impossibility of obtaining guides made it necessary to return to Zanzibar. A second effort was unsuccessful, from the desertion of his men, and the mutiny of his soldiers, though he acquired some useful knowledge of the country. In 1861 he projected an expedition to examine the great mountain of Kilimandjaro. He determined its mineral constituents, in connection with young Thornton, the geologist, and made a number of important observations on its altitude, temperature, latitude and longitude, which he afterwards published in one of the British scientific journals. The following year he made a more extensive examination of the mountain, ascending to the height of 14,000 feet, and fixing its altitude at upwards of 20,000 feet. Returning to Europe in 1863, he was awarded a gold medal by the Royal Geographical Society of Great Britain, and the Guelphic Order by the King of Hanover. Thus encouraged, he employed his own private means in fitting out another expedition, for the purpose of ascending one of the rivers of the Somauli country, into the interior of Africa. The vessels for this purpose were constructed at Hamburg, and transported in pieces by ship to Zanzibar, where they were put together. After overcoming many discouraging obstacles, he had ascended the Juba about 380 miles when his ship was wrecked, and soon after himself and companion, Dr. Link, were murdered by the natives.



## W

WALDECK, the name of a German principality. Prince, George, born January 14, 1831; succeeded his father, May 15, 1845. Heir-apparent, Prince Frederick, born January 20, 1865. Area, 466 square miles. Population, in 1864, 59,143. Contingent to the Federal army, 866 men. Revenue, in 1865, 511,801 thalers. In the German-Italian war Waldeck took sides with Austria. After the war it joined the North German Confederation.

WHEWELL, WILLIAM, D. D., LL. D., an English mathematician and philosopher, Master of Trinity College, Cambridge, born in Lancaster, May 24, 1794; died in Cambridge, March 5, 1866. He graduated A. B. in 1816, obtained a fellowship and became tutor in 1823. In 1828 he was made Professor of Mineralogy, and held that office until 1832. The long catalogue of his contributions to the "Transactions" of the Philosophical Society attest the vast amount of reading done during that period. In 1838 he was chosen Professor of Moral philosophy, and the previous year gave to the world his "History of the Inductive Sciences," which, for range of knowledge, depth and grasp of thought, and lucidity of style, has few equals in modern times. This work was followed in 1841 by his "Philosophy of the Inductive Sciences," which he regarded as the moral of the first. In 1841 he became Master of Trinity. In connection with the British Association for the Advancement of Science, of which he was president at this time, he drew up the reports on the "Tides" and on the "Mathematical Theories of Heat, Magnetism, and Electricity." In 1855 he was chosen vice-chancellor of the university. The same year he lost his wife, and for a time was much absorbed by his grief. During this period, by way of diverting his thoughts from his affliction, he wrote his popular work, "The Plurality of Worlds," in which he argued that none of the planets save the earth were inhabited. The severe mental labor of a lifetime had its effect upon his brain, though he had shown no sign whatever of failing power, unless it was an increased somnolency, but an accident which threw him from his horse, with no injury to the skull, produced concussion of the brain, which terminated fatally a few days after. Besides the above-mentioned works on physical science, Dr. Whewell was the author of "Astronomy and General Physics with reference to Natural Theology." In moral philosophy, he wrote "Lectures on the History of Moral Philosophy in England," "Lectures on Systematic Morality," and "Elements of Morality, including Polity" (1845). In regard to university reform he had written two treatises upon education, and also several upon mechanics, the most important of which are a "Treatise on Conic Sections," and one on "The Mechanics of Engineering." He edited Sir

James Mackintosh's "Introduction to the Study of Ethical Philosophy," and among his latest productions were some translations of the "Ethical Dialogues of Plato." He also translated Goethe's "Hermann and Dorothea" into English hexameters, and published a version of the "Professor's Wife," by Auerbach. In 1863 he published "Six Lectures on Political Economy," delivered at the request of the late Prince Consort before the Prince of Wales and other students. Dr. Whewell also published sermons, addresses, and a large number of scientific papers on different subjects.

WILLIAMS, SETH, brevet Major-General of Volunteers in the United States Army, and at the time of his death Adjutant-General of the Department of the Atlantic on General Meade's staff; born in Augusta, Me., March 22, 1822; died in Boston, Mass., March 23, 1866. He was appointed a cadet to the Military Academy at West Point in 1838, and graduated in 1842, receiving a commission of brevet second-lieutenant of artillery. During this initiatory period of his military career, he showed those qualities of careful performance of duties by which he was distinguished and well known throughout the service; and gained an honorable position in a class remarkable for its talent. In the ordinary routine of promotion he became first-lieutenant of artillery in 1847, and went with the army into Mexico, where he received the appointment of aide-de-camp to Major-General Patterson, and won the brevet of captain for gallant and meritorious conduct in the battle of Cerro Gordo. In September, 1850, Captain Williams was appointed adjutant of the Military Academy, and served in that capacity until September, 1853, having in August, 1853, received the appointment of assistant adjutant-general, with the brevet rank of captain in the Adjutant-General's Department. In 1861 he was appointed major in the same corps; and in September, 1861, brevet brigadier-general of volunteers. In this last capacity he served as adjutant-general of the Army of the Potomac under its different commanders, until the close of the war, when he was relieved; and, after serving upon several army boards, was appointed adjutant-general of the department under General Meade's command.

In 1864 General Williams was transferred to the staff of Major-General Grant, as acting inspector-general of the armies of the United States, and the same year was commissioned major-general of volunteers, by brevet. He held the full rank of lieutenant-colonel in the regular army, but had been brevetted colonel and brigadier-general "for gallant and meritorious services during the war." The services of General Williams in the organization of the army can hardly be overestimated; and the un-



wearied energy and activity he constantly displayed throughout its history in the management of his department were the admiration of all. His tact, evenness of temper, kindness, modesty, consideration for others, his zeal and conscientiousness in his laborious office, his straightforward disposition, and his cheerful loyalty, made him universally respected and beloved in the army. His death, the result of inflammation of the brain, was doubtless hastened by his severe application to his duties.

WILLSON, Rev. JAMES M., D. D., an American clergyman of the Reformed Presbyterian Church, and professor in the Covenanter Theological Seminary at Alleghany City, born in Pennsylvania in 1809; died at Alleghany City, Pa., August 31, 1866. He was a man of extraordinary ability, a profound student of ecclesiastical history, and a lucid and skilful teacher and preacher. He was regarded as the most eminent preacher, professor, and scholar of the Reformed Presbyterian Church, and his death leaves a void not easily or readily filled.

WISCONSIN. This State has an area of 53,924 miles, a fertile soil, a pleasant and healthful climate, and is rapidly increasing in population and wealth. Numerous railroads connect the principal towns with each other, and, with the harbors on Lake Michigan, affording abundant facilities of intercourse, and stimulating the development of natural resources. Agriculture is the chief occupation of the people, though other interests claim a large share of attention. The lumber trade especially has grown to immense proportions, and the collection of furs gives employment to large numbers. The Legislature met January 9th. Among the important acts passed was one submitting to the people the question of calling a State convention to amend the constitution. A resolution was adopted instructing their Senators in Congress to vote for the Civil Rights Bill over the President's veto.

The right of suffrage was extended to all citizens of the State, irrespective of color. During the session five hundred and eighty-seven general and private laws were enacted.

The receipts of the treasury during the fiscal year, were \$2,086,458, and the disbursements \$1,874,993. The present indebtedness of the State is \$2,282,191. The reduction during the year was \$410,000. The aggregate valuation of real estate is \$126,059,296. Valuation of all real and personal property, \$162,320,153. Amount of State tax levied, \$312,835. The receipts of the war fund during the year were \$173,757. The disbursements amounted to \$172,166, of which \$153,125 were paid to soldiers' families.

Over \$4,000,000 have been expended from the State treasury, for war purposes, since April, 1861. At least \$8,000,000 have been expended by cities, counties, and towns throughout the State, for the same purpose, making a total expenditure on account of the war of about \$12,000,000, which does not include the

millions contributed by citizens for charitable purposes connected with the war.

The number of State banks doing business October 1st was nineteen, with an aggregate capital of \$611,000; the amount of securities held in trust for banking associations, \$143,054; amount of outstanding circulation, \$142,557. Twenty-six national banks have been organized in the State, having an aggregate capital of \$2,780,000.

No satisfactory plan has yet been adopted for the collection of reliable agricultural statistics. The Secretary of State is required by law to make an annual estimate of the value of the leading articles of produce at the town where raised, at the point of shipment on the lake shore, and in New York.

The aggregate quantity and prices returned and estimated of the ten leading articles, for 1866, were as follows:

WHEAT.		
Bushels raised.....	11,629,183	
Valuation where raised.....	\$16,761,461	
“ on lake shore.....	23,509,705	
“ in New York.....	26,546,434	
CORN.		
Bushels raised.....	13,410,836	
Valuation where raised.....	\$5,557,180	
“ on lake shore.....	8,851,143	
“ in New York.....	13,410,836	
OATS.		
Bushels raised.....	14,789,660	
Valuation where raised.....	\$3,987,663	
“ on lake shore.....	5,180,428	
“ in New York.....	9,159,431	
BARLEY.		
Bushels raised.....	719,619	
Valuation where raised.....	\$452,516	
“ on lake shore.....	719,169	
“ in New York.....	821,693	
RYE.		
Bushels raised.....	979,957	
Valuation where raised.....	\$479,636	
“ on lake shore.....	749,874	
“ in New York.....	788,953	
PORK.		
Number of head.....	216,392	
Valuation where raised.....	\$4,336,000	
“ on lake shore.....	4,868,754	
“ in New York.....	6,330,463	
BUTTER.		
Number of pounds.....	9,999,892	
Valuation where made.....	\$2,280,469	
“ on lake shore.....	2,497,467	
“ in New York.....	3,999,951	
CHEESE.		
Number of pounds.....	1,215,801	
Valuation where made.....	\$185,459	
“ on lake shore.....	215,970	
“ in New York.....	315,870	
WOOL.		
Number of pounds.....	2,696,354	
Valuation where raised.....	\$1,155,608	
“ on lake shore.....	1,176,216	
“ in New York.....	1,413,175	
LUMBER.		
Number of feet.....	928,908,651	
Valuation where made.....	\$2,271,265	
“ at Chicago.....	3,349,421	
“ at St. Louis.....	22,858,129	



The receipts of wheat at Milwaukee for 1866 amounted to 12,664,448 bushels, constituting that city the largest primary wheat depot in the world. The number of acres returned for taxation was 17,714,259, at an assessed value of \$92,211,405.

The mining, lumbering, and manufacturing interests of the State are second in importance to agriculture alone. Millions of dollars are invested in these pursuits, controlled by a class of citizens among the most enterprising and industrious.

The energy displayed by the inhabitants during the past few years in projecting and carrying out successful enterprises of internal improvement, is considerable, and will soon envelop the whole State in a network of much-needed railways. Among the most important now projected and to be completed at an early day, are the Tomah and St. Croix; Portage and Superior; Milwaukee and Fond du Lac; the Manitowoc and Mississippi; the Oshkosh and Mississippi; the Sugar River Valley, from the State line, *via* Madison, to Portage; the St. Croix and Superior, extension of the line from Sheboygan to Fond du Lac; the lines from Green Bay to the Mississippi; Mineral Point to Dubuque; Monroe southwest to the Mississippi; between Omro and Oshkosh; from Madison, northwest, *via* Baraboo; and Milwaukee to West Bend. The completion of the Northern Pacific Railroad will develop the rich country north and west of Lake Superior, and consequently is of great importance.

All of these lines traverse rich portions of this State, throwing open its remotest parts. The citizens along the routes of many of them, alive to their utility, are freely contributing large sums of money, and urging them on by every possible means to a speedy completion.

The number of railroad companies making reports is nine, having a total length of 1,731 miles.

Capital actually subscribed.....	\$14,099,400 00
Number of through passengers.....	260,523
Number of way passengers.....	1,897,053
<hr/>	
Total number of passengers.....	2,157,576
Number of tons of freight carried... ..	104,203
Receipts from passengers.....	\$4,311,064 67
Receipts from property.....	9,411,361 34
Receipts for mails.....	189,287 51

Total receipts for transportation..	\$13,902,714 52
Amount of State tax paid.....	203,296 10
Passengers and others killed.....	15
Passengers and others injured.....	17

During the past year officers detailed by the War Department have made surveys of a portion of the Mississippi River, with a view to the removal of obstructions to its navigation, by the improvement of the Rock Island and Des Moines Rapids.

The Illinois, Rock, Fox and Wisconsin Rivers have also been surveyed, with reference to a water communication between the Mississippi and the Great Lakes. Both projects are considered entirely feasible.

It is reported practicable to construct a line of navigation by Rock River to Lakes Horicon and Winnebago, with at least the capacity of the Erie Canal, thereby furnishing to the people along its route facilities for the transportation of heavy freight, which would be of incalculable advantage to them. It is deemed by the engineers in charge, that the Wisconsin can be rendered perfectly navigable, by such methods of engineering as have been tried on similar streams elsewhere and found successful, or, should this in the end prove impracticable, that a canal of large capacity can be built along its valley at a cost so small as to warrant the undertaking.

The public schools of Wisconsin are prosperous in a high degree; taxes are liberally voted; a good class of buildings is found, and a better one is in progress, well furnished with all the articles necessary in schools; an increased and continually increasing demand for better qualified teachers exists; a greater interest is taken in education by the people; associations for the mutual improvement of teachers are springing up; the best methods of teaching are sought.

There are seventeen academies in the State, having 90 teachers and 2,200 students; nine colleges, having 55 professors and 1,439 students; also, two hundred and twenty-eight private schools, having 8,000 pupils.

In the number of normal schools for training teachers Wisconsin takes the lead of all the States in the Union, six having been projected—one in each Congressional district in the State.

The number of children in the State between the ages of four and twenty.....	352,005
Number attending public schools.....	234,265
Number of teachers employed.....	7,879
The whole amount expended by the people in support of common schools was.....	\$1,190,289 10
The amount of the school fund at the close of the fiscal year was.....	2,141,892 17
The total receipts for the fiscal year, being for sales of lands, dues, loans paid, taxes, etc., amounted to.....	329,412 44
The disbursements were.....	\$420,580 74

The amount of land belonging to the fund is 463,463.93 acres.

The school fund is composed of: 1. Proceeds of all lands granted by the United States for support of schools; 2. All moneys accruing from forfeiture or escheat, and trespass penalties on school lands; 3. All fines collected in the several counties for breach of the penal laws; and 4. All moneys paid as an exemption from military duty.

Wisconsin has manifested a liberal spirit in providing for the destitute and unfortunate, and in establishing such reformatory institutions as the criminal require. Asylums have been established for the insane, the deaf and dumb, and the blind, a reform school for juvenile offenders, and a State prison.

The trustees of the Insane Hospital report that the number of patients in the institution, October 1st, was 177.



Number admitted during the year.....	95
“ discharged during the year.....	92
“ September 30, 1866.....	180

Of which number ninety-six were males, and eighty-four females.

The current expenses of the year amounted to \$41,205.03. The farm, worked principally by the patients, has yielded a profit during the past two years of over \$6,000.

The whole number of pupils in attendance, during the year, upon the Wisconsin Institute for the education of the deaf and dumb, has been 104. Number in attendance, October 1, 1866, 84. The trustees received from the State and other sources during the fiscal year \$20,678.80, and have expended \$24,070.28.

Owing to adverse legislation in 1865, requiring from pupils payment for board, or a certificate from the county judge of the inability of parents to make such payment, the condition of the Institution for the Blind is very unsatisfactory. The number of pupils has decreased from fifty-four to eighteen, and the trustees assert that “from one of the most prosperous and efficient schools of its kind in the country, the institution, by the action of this law, has suddenly been reduced to one of the most insignificant.”

The expenditures for the last fiscal year were, for building shop and other improvements, \$7,790.05, and for current expenses, \$16,471.74.

In addition to the above a “Home” for soldiers’ orphans was opened January 1st, before provision could be made for its organization under State control, the necessary means having been furnished in great part by private subscription. The amount received by such subscriptions was \$12,834.69. The amount expended for repairs, furniture, and current expenses, was \$21,106.67. The property was purchased by the State for \$10,000, and the Home became a State institution March 31, 1866, since which time the trustees have received for its support \$25,000 from the State, and \$404.75 from other sources. Amount expended during the fiscal year, \$17,460.20. Balance on hand, September 30, 1866, \$7,944.07. On the 1st day of January, 1867, 298 children had been received into the Home, of whom 57 have been removed by parents and guardians, and 5 have died, leaving the number of inmates on that day 236.

The Board of Managers of the State Reform School report that the whole number of children received since the opening of the school, July 23, 1860, is 400. Of these, 340 were boys, and 60 girls.

The whole number of inmates during the past year was.....	209
Number of inmates, October 1, 1865.....	155
“ “ “ “ “ 1, 1866.....	134
Largest number of inmates at any one time.....	160

No death has ever occurred among the inmates since the school was first established. On the 10th of January the main building was destroyed by fire. Instead of the one burned,

the managers have erected three smaller buildings, at a cost of about \$41,000. They have purchased 120 acres of land for farming purposes at a cost of \$7,500. The current expenses for the year amounted to \$24,026.14.

The condition of the State Prison is satisfactory. The convicts have earned during the year \$32,450.96.

Increase of supplies and materials during the year.....	\$5,555 61
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Total credits.....	\$38,006 57
Amount expended for support of the prison.....	39,263 45

Total cost to the State during the fiscal year.....	\$1,256 88
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Number of convicts, September 30, 1865.....	97
“ “ “ received during the year... 145	
“ “ “ discharged “ “ “ ... 73	
“ “ “ confined, Sept. 30, 1866....	169
Increase during the year.....	72

It is a remarkable fact, which deserves consideration, that of the 229 convicts committed during the past three years, only *four* per cent. could be called skilful mechanics, while not more than *ten* per cent. knew the first rudiments of a trade.

The Legislature, on the last day of the session, passed “an act to reorganize and enlarge the State University.” By this act the university is made to consist of a College of Arts, a College of Letters, and “such professional and other colleges as from time to time may be added thereto, or connected therewith.” The College of Arts is designed to do what would be done by an agricultural college. The proceeds of the 240,000 acres of land, granted by Congress to the State in aid of an agricultural college, are to be given to the university. It was made a condition to the validity of this act that the County of Dane, in which the university is located, should guarantee the sum of \$40,000 to be used in the purchase and improvement of the experimental farm. This condition was promptly met. The regents have purchased 195 acres of land adjoining the original plot, including various buildings, for an experimental farm, at a cost of \$27,054.

The total productive fund of the institution is now \$168,298.55, the interest of which, together with such sums as may be received for tuition, room rent, etc., will insure an annual income of about \$15,000, while the estimated expenditure for each year is about \$21,000, leaving the annual income of the institution inadequate to its proper support by about \$6,000. There are 17,982 acres of university land and 233,556 acres of agricultural college land belonging to the fund, and as they are disposed of, the deficit will, of course, diminish.

One student from each Assembly district will be admitted free of charge for tuition.

At the election in November, the whole number of votes given for members of Congress was 134,739, of which 79,323 were for the Republican candidates, and 55,416 for the



Democratic. The Republican majority was 23,907. No election for State officers took place. Five Republican members of Congress were elected, and one Democratic member. The Legislature is divided as follows:

	Senate.	House.
Republicans .....	22	73
Democrats .....	11	26
Independent .....		1

WRIGHT, Hon. WILLIAM, United States Senator from New Jersey, born in Clarkstown, Rockland County, N. Y., in 1791; died at Newark, N.J., November 1, 1866. His ancestors were among the earliest settlers of Connecticut, and his father, Dr. William Wright, was a prominent physician and citizen of Rockland County. The subject of this sketch was at school in Poughkeepsie preparing for college at the time of his father's death, and was compelled in consequence to abandon his studies and learn the trade of a harness-maker. The industry and vigor of his character were here shown, for besides supporting himself, he was able to save by the end of his term the sum of three hundred dollars. With this sum, which was the foundation of the large fortune he subsequently acquired, he repaired to Bridgeport, hired a small store, and soon began to develop those mental resources which have placed him at the head of the manufacturing interests of this section of country. Subsequently, in connection with his father-in-law (the late William Peet) and Sheldon Smith, he established a firm for the manufacture of harness and saddles, having a branch house in Charleston, S. C., and in 1821 they established themselves in Newark, N. J. About 1854, Mr. Wright retired upon a large fortune, the result of his untiring energy and diligence in business. He took no active part in public affairs, except to volunteer his services in defence of Stonington in the war of 1812, until the year 1840, when he was elected mayor of the city of Newark without opposition. He was at that time attached to the Whig party, and a warm friend of Henry Clay. In 1842 he was elected to the House of Representatives as an independent candidate over the

regular Whig and Democratic nominees, and was reelected in 1844, but in 1851 announced a change in his political relations. In 1853 he was elected by Democratic votes to the United States Senate for the full term, in place of Hon. J. W. Miller, and was succeeded in 1859 by the Hon. John C. Ten Eyck. By this body he was appointed chairman of the Committee on Manufactures—his large experience in that branch of industry being recognized by his associates. He was also an efficient member of the committee to audit and control the expenses of the Senate. Mr. Wright's previous business pursuits, of course, did not permit him to join in the debates on the floor of the Senate; but his views were always intelligent and decided, and as a member of the committees, both while in the House of Representatives and in the Senate, he was active, intelligent, and influential. In 1863 Mr. Wright was again elected to the United States Senate, a successor of the Hon. J. R. Thompson, who died the previous summer, and whose unexpired term had been temporarily filled by the Hon. R. S. Field and the Hon. J. W. Wall. For the last year or more Mr. W.'s health was so much impaired that he was unable to devote much time to his senatorial duties.

WÜRTEMBERG, a kingdom in Germany. King, Charles, born March 6, 1823; succeeded his father, June 25, 1864. Area, 7,840 square miles; population, in 1864, 1,748,328. The revenue for the financial period from 1864 to 1867 was 51,226,785 florins; surplus revenue over expenditures, 34,077 florins. The army consists of 29,392 men. The public debt, on September 8, 1866, amounted to 84,406,940 florins. In the German-Italian war, Würtemberg took sides with Austria, and furnished its contingent to the 8th Federal army corps. It concluded a separate peace with Prussia, on August 13th, in virtue of which it had to pay 8,000,000 florins to Prussia. By a secret treaty of the same date, Würtemberg concluded with Prussia an offensive and defensive alliance, and engaged, in case of war, to place its army under the chief command of the King of Prussia.

## Y

YOUNG, Right Rev. JOSUE M., Roman Catholic Bishop of Erie, born in Sanford, Maine, August, 1808; died at Erie, Pa., September 18, 1866. He was born of Protestant parents, but entered the Catholic church at the age of nineteen years. Having served an apprenticeship to the printing business in the office of the *Portland Argus*, he soon after set out to make a tour of the Western States, in the capacity of a journeyman printer, finally settling in Cincinnati, where he was employed in the office of the *Catholic Telegraph*. His zeal in

teaching the catechism soon attracted the attention of the bishop, who, discerning in him talents of a high order, sent him to Mount St. Mary's College, Emmettsburg, Md., to complete his studies and prepare for the priesthood. In 1837 he was ordained, and labored for many years with great zeal and success in the then diocese (now archdiocese) of Cincinnati. In the year 1853, the new diocese of Erie being formed from part of the diocese of Pittsburg, Bishop O'Connor was translated from Pittsburg to the new see, and Rev. Mr. Young, at that time



pastor of St. Mary's, Lancaster, Ohio, was appointed to succeed him. Such was the humility of Dr. Young, however, that he would fain decline the honor of being raised to the episcopacy, and earnestly besought the Holy Father to allow him to decline accepting the appointment. His request was granted in so far as Pittsburg was concerned, but he was immediately appointed to the see of Erie, Bishop O'Connor being retranslated to Pittsburg. He

was consecrated in the cathedral of Cincinnati, in 1854. Once entered on his new field of labor, Bishop Young devoted all the powers of his mind and the energy of his character to the interests of his diocese, and with the limited means at his command, and the thin and widely scattered population, he accomplished great things, and left behind him many evidences of his zeal and charity.



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